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SET, AND SPRING YOUR OWN
NET OR TRAPS

JOHN TYLER HICKS

INVENTOR OF SMALL IDEAS

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Combinations of Experiences
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Inventor of Small Ideas.

MEDFORD, MASSACHUSETTS.

JOHN T. HICKS.

1904.

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Published June, 1904.

TO THE CITIZENS OF THE WORLD ; THE MEN WHO BY THEIR
HONEST LABOR, BY THEIR ECONOMY, JUSTICE AND
TRUTH, MAKE POSSIBLE THE ADVANCEMENT
OF MANKIND ; THIS VOLUME IS RESPECT-
FULLY DEDICATED BY THE AUTHOR,
JOHN TYLER HICKS,
MEDFORD, MASS.
MARCH, 1904.



Mr. F. J. [illegible]

PREFACE.

An experience I had in a buckwheat field when but a small boy, absorbing natural education where Vermont's mountains by their stern grandeur early impress young minds with the realism of life, suggested the title of this book.

My uncles, Joy and Chancey Bishop, both professional hunters and consequently men of more than local fame, permitted my being with them at a "pigeon catching," a rare treat, you may be sure, and one fully enjoyed.

They spread a net over the stubble, scattered kernels of grain plentifully over it and then secreted themselves within stacks of stalks, which, being such as the birds were accustomed to see there, did not suggest danger to them.

Pigeons soon fluttered around the net, pecked at the grain, peered around and flew away. I expected the hunters would draw the net then, and was really inclined to chide them for permitting the first birds to escape. Boys are generally wiser than men, you know, especially where experience is necessary for success.

Snug in the stalk retreat, I thought catching pigeons a simple matter, until the job was done.

Then I had learned that the sentinel birds came first to inspect the meal so temptingly provided. They went back to the woods, came again with others for a further survey, flew away again and finally, after my uncles had nearly lost patience with my impatience and had pinched my arms until they were one "big smart," down came the pigeons in such a flock as to cloud the sun. Then was the net drawn, full nearly to the bursting point, with as plump a lot of birds as one could wish for.

That "pigeon catching" was a forcible lesson of which I will speak again before completing this record of facts and experiences.

I suppose a preface to be something like the label on a bottle—a guide to what's inside. I guess this one is a sort of scoring for place. Any way, here we start.

If a man is to be known other than as the bearer of a name and form inherited from his parents, he must establish his self-identification; that is, he must accomplish a purpose originated in his own mind, by his own unaided labor, and be able to demonstrate the value of the same to others by methods original with himself. Thus, when the result of that man's labor is viewed, he will be at once recognized; he will identify himself by his works and his works will identify him.

Show me a community run by fanatics and busy-bodies and *there* I will show you a place wherein a dog would starve.

Liberal ideas create and maintain great cities, states and nations by making possible business from which people earn subsistence, receive comforts, pleasures, the means for mental and spiritual uplifting and strength to defend their homes.

Churches would be only names applied to empty edifices but for liberal ideas.

Rogues move in a mysterious way, their works and wonders to perform, but they do not intend to place a foot where it will leave a track or ride out in the storm.

Don't go to law unless you are driven there. Then, if you have an honest case and hope for justice, ask at once for jury trial, for it is easier for your enemies to deceive or buy one man than twelve. That's horse sense acquired after running with legal mules.

I believe no one citizen, family, candidate for office, church, political party, or newspapers (the last named can shield or expose all the others) has a moral right to dictate what others may do while they continue to do what they please.

PRELUDE.

What Happened to me in Good Old Medford
All of which has to do with our present
Form of Government.

In the year 1895 I purchased for cash the land now included in Combination Park, which the press has named "The Parlor Track of the World."

Among the parcels making up this estate was one of the five acres purchased from H. Burr Crandell, a member of the Massachusetts Bar Association, to which he gave me a *warranty* deed in consideration of eighteen hundred and fifty dollars.

This ought to have been at least a legal transaction. Surely so, gentlemen of the Bar Association, gentlemen from whose inspiration so much good should grow, because an attorney honored by you to the extent of fellowship warranted it. But alas! his warrant proved much like the guarantee of "solid gold" or "sound in limb and wind," given me by the traders, from whom I learned that money has proven to sear consciences and blind eyes; has proven to make of man so vile a thing that even those of his kind despise him.

Why did this Crandell legal light fail to disclose the moral dangers to him and the financial loss to me, in the deed he committed when deeding me that land?

I fancy the answer may be partly given by Bodenstedt, who says : —

“ Would’st thou thy fellow man discern?
Thou must thine eyes within thee turn.
Wouldst thou thyself then rightly know?
Outside of thine own self must thou then go.”

That quotation is from my scrap book alphabet to be spoken of later.

Now for a few stern facts from life’s alphabet.

While the park was under construction, a party wearing such a wide-brimmed hat as is associated with a very straight-laced religious sect, a real good chap, of course, giving his name to be Forbush, appeared on the premises and claimed ownership of the land deeded to me by Crandell.

Although my title examiner, Mr. F. O. Reed, assured me the Crandell deed conveyed a clean title and advised my ignoring the man Forbush, local investigation established the fact that Crandell’s was what might be termed a law phrase title. The assessors’ books showed that for some reason best known to those in the scheme the taxes on the property had been assessed to and paid by Crandell for the previous eighteen years, with the exception of two, when they were assessed to and paid by Forbush, yet, as by the

deed records, the property had been Crandell's all the time. My examiner finally said my title to the property would be invalid unless I bought it from Forbush. That, in protection of my interests, I did, paying two thousand, eight hundred and fifty dollars for his warranty deed of the same, regardless of the original assurance of my examiner of titles that the Crandell deed was a warranty. I paid that examiner liberally for his services, yet he has never made good to me for his mistake.

When I asked H. Burr Crandell to make good the amount he got from me by the false deed, he claimed to be without funds, but offered to give me, in full settlement of my claim, a four months' note for four hundred dollars, endorsed by a brother attorney whose credit the Security Bank would declare good for a large amount. The bank's official did declare the proposed endorser's credit good for a large amount, consequently, seeing no other way by which to get a penny of the money fraudulently obtained from me by Crandell, I took the note. Well, what do you think that bank said when I offered them that note for discount without recourse to me? They declined to negotiate it, for a general reason, as I afterwards learned, that banks do not care to negotiate paper signed or endorsed by attorneys at law. In this instance the bank was wise, that's a fact, for the note was protested and collected only after suing both maker and endorser. Even

now, this note, this draught on my financial blood in the interests of designing men who, assuming the honored and honorable title created by and now honorably worn by worthy men, vulture and vampire their way through life, is unsettled because of the fact that F. O. Reed, one of the title examiners, who handled the cases in court, died before sending a statement of expenses and receipts.

There is a second faulty title in this park property occasioned by inaccurate records. The knowledge of all the above may yet be as valuable to the reader as it now is to me.

In 1896 I owned this property free of all incumbrances. Today this park property, this estate which then possessed a natural earning power sufficient to maintain, perpetuate and enrich it, is mortgaged for a larger amount than its entire first cost, and, if statements without books or vouchers for verification can be believed, has had expended upon it the large amount of one hundred and forty thousand dollars, more than its first cost.

Does the foregoing statement make plain what manipulators of the law, or blackmailers working under the cloak of the law, can cost individuals and communities?

Authentic records show that the City of Medford, in consideration of the large section of land I gave for widening Mystic Avenue, also for a storage basin,

which was needed to prevent contagion being disseminated by the brook (open sewers) then adorning South Medford, together with one thousand dollars in cash towards the construction of the flood gates, agreed to at once grade Mystic Avenue and the banks of the storage basin to high water mark. Of course, one may not assume wisdom, much less naturally possess it, sufficient to measure the memories of such ultra-human officials as those who fostered the Annanias baby, born to but disowned by the sublimely Christian Watch and Ward Society. However that may be, the grading promised has not been done.

Yet, in spite of the suburban parliaments forgetfulness, I did, while constructing the park, fill all the drainage pits at my own cost, thereby abating one of the worst nuisances to be found near Boston, and also gave Medford rights for a sewer through the property, thus furnishing for the first time in the community's history drainage for all the churches, dwellings and school-houses in South Medford, that is, the physical drainage, not the moral drainage, ah no. Could such a humble worm as I even presume to think of benefitting Medford morally (although the physical benefit was a help that way) while the Committee of Twenty, each and all born experts in the moral line, were afloat on life's sea? No, no, John Tyler Hicks; do not pause in your life's work to attempt such things, although with a real old style desire for the people's

Medicine Oct 15 1895

John T. Tucker

Three thousand — 00 Dollars

On account of agreement with George
of Medicine on organs to my friend

\$1000. =

Remittance

G. M. Hayes

Cash Collector

good you do wish hypocrites might be driven from Medford and pursued as relentlessly as Mott Hallowell proposes to chase gypsy moths.

The majority of Medford's people so far respect and honor God and their mothers as to be worthy the names they bear. Of them I ask: Do you approve of my being arrested under the false name of Wm. Tall? Do you uphold the mayor and police chief who sanctioned that arrest while knowing it was a lie on its face? Again, can you, men of Medford, who are worthy the title of citizenship, uphold a police chief who, after I had complied with every request he made touching matters legally in his province, joined hands with the Watch and Ward Society (past masters in their profession) and not only sanctioned but enforced my arrest.

The charge made against me by the Ultra-Christian Watch and Ward Society, on which the chairman of Medford's Police Inquisition based his action, was not then, and is not now, known to be sustainable in law. Judge Wardwell's decision, by which the case was thrown out of court, substantiates that statement.

Thinking men will logically ask, what caused the persecution culminating in my being falsely arrested? (The Watch and Ward Society, as well as their followers could answer that question, and would answer it if they were as christianized as Bowery heelers.) I can answer

it and will. Here's the cause, and the reason, if the latter may be even associated with such mendaciously senile infidelity. I positively refused after the first year of its existence to allow heat betting at or on Combination Park, or to settle for what the late Edwin Morse termed "squaring the gate."

Gentlemen of the world, men of honor who pay for your pleasure, your comfort, your rights, your religion, for the protection of your country, I ask: Who received the money paid by those who "squared the gate."

I claim the safety of our government depends in part on the people having access to the records of every organization doing business for the people in the name of or under the protection of the laws enacted for the general good. Therefore, I say, investigate the records kept by the officers of the Watch and Ward Society; also the records of the Malden Court; ascertain the motive for their work, and discover their definition of "squaring the gate." It is possible they have coined a special Biblical or law phrase defining "squaring." Who knows what this great fungus grown on the pure flower morality may not have done? It is also possible for them to explain why the Medford racing tracks, among all in Massachusetts, have been, by them and them alone, closed for business.

Neither State nor city authorities should be asked or expected to protect violaters of law, especially those

responsible for the laws' existence, but both, separately and unitedly, should, because it is their duty, yes, because they, the people's servants are paid to do it, protect every citizen who obeys the law, especially from the worst form of blackmailers; namely, those who working under the cloak of law and religion set at naught every law of God and man.

I ask the State of Massachusetts, through the proper authorities, be they executive, judicial or lobbycal, to explain to the people who pay for making, printing and executing the laws, why such conditions as I have just referred to have existed for the last five years? Massachusetts has too grand a heritage, too proud a name to be used for labelling cloaks for blackmailers.

Therefore, I, one of her citizens who seeks to know the law for the purpose of obeying, not evading it, ask :

Mother of our Rights and Privileges, will you tell us the name of the "prominent horseman," herinafter to be referred to, who aided Parson Barstow in formulating his ossifying proclamation against enjoyment of rational privileges outside of the church?

It may be unnecessary for a man who has proved himself possessed of self identification powers to give publicly his motive for printing what this book contains; yet, in order that those who are by reason of book education and social training, incapable of judging motives, I will say, I write this book with the view of

making plain to men who have not, but yet may come to the roads in life over which destiny has led me, the peculiar hazards existing therein.¶ Again, with that pure motive which is common to and daily expressed by the citizens who make our nation's present safety possible and strengthen it against the future's storms, I wish to assist in educating posterity to walk in paths of wisdom which are founded on the basic rock, *Honor*.

To one who grew, as I did, where trees are trees, bears are bears, cats are cats and all of Nature's creations are purely and simply themselves, the attempts of man to be other than what he is, are pitiful.

Success in religious, social, business, political or professional life can be lasting only when it is founded on truth. The man who wins by laying up heats will finally be distanced.

Truisms, so called, may be considered factors foreign to business allied in any way or at any time with training, judging and racing horses. If such is the case, let my ignorance of questions involving the finesse of life — the substitution act — be my excuse for saying :

A church which permits raffles at its fairs, teaches its children that gambling is a sin, accepts stock speculators as communicants, receives into its treasury the profits from vice in every form without question, and awards its positions of honor to wealth, regardless of virtue, is an unsafe guide for our youth.

The state which enacts laws forbidding gambling in any form in all places, and permits gambling in all forms in some places, is not a Christian state.

The official who enforces a law against men who can not or will not "square the gate" to their profit, yet permits disobedience of law by those who "graft the bud," is worse than a highway robber.

Men who teach their boys to sail as Christians, yet show them how to turn sharp corners around points of law, are progenitors of a race in which Annanias would have been a saint.

I had other things of the foregoing sort almost out for a run, but I got behind the flag with them, therefore we will conclude this meeting with an extract from the Boston Herald, under date of January 19th, 1904, viz:

"We think it would be well for the Legislature to pass Senate Bill No. 11. This accompanied the petition of the Rev. Frederick B. Allen of the Watch and Ward Society, asking that the practice be discontinued of paying one-half the fine to the complainant in some criminal cases. At present the law provides that where convictions are made for selling obscene literature or indecent pictures one-half of the fine imposed shall go to the complainant. In certain cases this has led to the charge that complaints were *made and prosecuted* solely for the purpose of obtaining money. On the whole, we think it will be better, both for the societies and individuals who seek to protect public morals, that

this payment should cease, and surely there can be but little opposition to it when it is advocated by one of the leaders of the Watch and Ward Society, that *presumably has received money* in the past under the operation of this law."

The writer wonders if the "Herald's" presumption that the Watch and Ward Society has received money applies in any degree to receipts for which there is no court record? Also, is Rev. Mr. Allen fully sincere in his proposition? Whether he is sincere or not, the proposed change in the law suggests a peculiar breed of confidence with which I have had experience. For instance, on August 28th, 1898, George A. Graves said to me, while making his effort to get from me a contract which would permit him to have sole control of and access to the books of Combination Park, "We must have confidence in each other."

This was a real nice, Sunday sort of a suggestion. Do you not think so? It sounded to me much like the song of a cat, yet I trusted him. Did he keep his agreement? I fancy he must have done so, since I have never seen it in operation. I know he has not done what he promised to do. What he has done is not made plain, because he locked the gates of Combination Park to cover his tracks.

I've been thinking much about this man Graves recently, and in connection with many reflections as to

his moral construction have wondered if his conscience may not be somewhat like stale bread. He knows the aptness of my comparison of conscience to stale bread, as well as true men know the justice of what I'm going to say right here about newspapers.

A newspaper which knowingly and intentionally deceives its readers as to actual facts, shields by every power it possesses its large advertisers, hastens to publish the slightest whisper against the good name of a woman to whom, as payment for her daily labors, one of its big blanket sheet patrons doles out the extravagant sum of three dollars a week — that's *A Yellow Journal*.

The newspaper which publishes facts, let them hit who they will, tells the truth as they understand the facts, stands for "equal rights, equal privileges, equal taxes," (as did Gen. Benj. F. Butler, whose statue, by the way, some of the men who were to him as an infant would be to Sandow, have caused to remain in the hands of Sculptor Justice in order that when it is finished men may see the Cromwell of Massachusetts politics, the people's representative in Congress, the peer of America's citizen generals in his true form) the paper which not only assists deserving poor, but also says: "When dispensing charity we do not ask what caused a man to be poor, we do not examine him with a microscope. We feed him because he is hungry; we warm him because he is cold," — that's *A Pure White Journal*.

I thought this meeting was over, but it isn't. One of the Watch and Ward Society's drivers laid up the second heat. I was watching him down there in the back stretch, so to ward off a continuance of such methods on the Parlor Track of the World we'll just suspend him, (Hamon was suspended, you know) put a man up in his place and let the race go on. Meanwhile we will talk a bit, listen also to the Boston Globe and imagine the Green Mountains are on Boston Common, that is, we will try to believe they are so located while the Theological Seminary's graphophone speaks.

"One Sunday, in 1897, Rev. John Barstow of the Mystic Congregational Church, Medford, preached an evening sermon against pool selling at the race tracks in that city, which has created a good deal of interest, especially among the proprietors of those parks.

"It is the opinion of people interested in horse racing that nowhere is the sport more honestly conducted than at the Medford tracks. The proprietors of those tracks think that in the address of Rev. Mr. Barstow there is strong intimation that races at both Mystic and Combination Parks have been conducted in the interest of the pool boxes, the best horses not being allowed to win the races in which they started.

"J. Tyler Hicks, one of the proprietors of Combination Park, after a consultation with Mr. Willis, the proprietor of Mystic Park, called on Mr. Barstow at

his home last evening. He was accompanied by a Globe reporter. The purpose of Mr. Hicks' visit was to obtain from the reverend gentleman what information he might care to give respecting the charge of races being "thrown" for the benefit of the pool box.

"In his address Sunday Rev. Mr. Barstow said :

" 'I was talking recently with a person who knows the inner working of the race course, who has held official positions on the track, who declares again and again the slowest horse has won the race because the pools were so manipulated that the pockets of certain persons were enriched at the expense of others who knew that in a fair contest the horse that happened to win stood no show at all.' " (I wonder what Mr. Barstow would have called the member of his parish who, when managing official of a corporation, sold his stock at a good price, resigned his place and left the corporation to die an early death in the warm embrace of bankruptcy ?)

"Mr. Hicks believed that this referred to the Medford parks, because, as he said, the reverend gentleman had those parks under consideration when speaking. His desire to know the name of the minister's informant was twofold. First, he believed the minister had been imposed upon, and if his informant was the man Mr. Hicks believed, he would soon prove him to be unworthy. Second, he had in his pockets letters that were little short of black-

mailing in character, demanding money, and he wanted to know if the minister's informant was the same man.

"The interview between Rev. Mr. Barstow and Mr. Hicks was pleasant. The visit was entirely unexpected by Mr. Barstow. He is a young man, while Mr. Hicks is well along in years. The latter is a man of wide business experience in fields other than horse racing, and carries himself with the ease characteristic of a man accustomed to meeting all sorts and conditions of men.

"After making himself known, Mr. Hicks bluntly asked Mr. Barstow to give him the name of the man who furnished him the information. The reverend gentleman said he was not in a position to do so. He thought he ought to have the man's consent before doing so.

"Replying to a suggestion by Mr. Hicks that it was not fair to withhold the name, Rev. Mr. Barstow explained that when he said races were run in the interest of the pool box he was speaking in a general way. When Mr. Hicks told why he was anxious to know the informant, explaining the fact of the letters he had received demanding money, Rev. Mr. Barstow said he was quite sure it could not be the same man.

"'How do you know?' asked Mr. Hicks.

"'The man who told me,' replied Rev. Mr. Barstow, 'has had no connection with the race track for years, if indeed he ever had. He is a man interested in horse breeding.'

"Both Mr. Hicks and Rev. Mr. Barstow discussed the moral ethics of betting, the former pointing out that the churches and church people engaged in lotteries, the latter maintaining that the placing of pools on horse races was in contravention of the law. He reiterated his remarks of Sunday evening that if pool selling was prohibited in Springfield, Northampton and other places in the State, it should likewise be prohibited at Medford, Saugus and Readville.

"During the conversation the mayor and the police of Medford were brought up. Mr. Hicks said he had never seen the mayor and had never met the chief of police. Whenever races were held at the park he would send to the chief of police for men to do duty at the track. This was the extent of his relations with the officials of the city government.

"In concluding the interview, Mr. Hicks said he would like to have Rev. Mr. Barstow set the park proprietors right so far as conducting honest races was concerned. Rev. Mr. Barstow's reply was the same as at the beginning — that his statement was general and did not apply to any particular park.

The Globe reporter asked Rev. Mr. Barstow if he had any direct personal knowledge of races being conducted at the Medford parks in the interest of the pool boxes. He replied that he had not.

"Rev. Mr. Barstow took Mr. Hicks' hand in a warm grasp as the latter was about to leave and said with an unmistakable sincerity he was glad of the interview."

What do you make of the reverend man's position?

Before closing this prelude it seems wise to record in view of the general public, a few items which will not be less valuable as time passes.

One of the first shots at me from behind the fence of those moral, brave and patriotic men who are ashamed to sign their own names was :—

Medford, Oct. 2, 1898.

MR. HICKS,

Dear Sir:—"I see by the papers that you intend giving a meeting at Combination Park. I hope you do not intend to have pool selling or any kind of gambling, for if you do we will have you and all the people connected arrested, and if possible put in jail. This is no threat; we simply mean business."

CITIZENS COMMITTEE.

Things move in this universe. That which is buried must in time come to the surface.

In the following letter, please note that the writer flatly contradicts his co-worker Rev. Mr. Barstow as to "that prominent horseman."

"To the Editor of the Mercury."

Dear Sir:—"I am in receipt of an elaborate announcement of the proposed sale of Combination Park. I know not *who* sent it to me nor *why*, save that it contains a statement concerning myself and may have been sent as a challenge to cover a gross misrepresentation of my actions with reference to the gambling which used to be carried on there.

"Were I to remain silent it might be claimed that I was willing to be quoted as represented in this announcement over the signature J. T. H. To prevent being so misquoted I wish to say through the courtesy of your columns that I have never had the least reason to regret the course I took. It was because I *was* "familiar with the facts" that I called upon the constitutional authorities to enforce the law of the State against the crime of gambling as practiced at the race tracks. The popular sentiment was then found to be strong against such law breaking and it is stronger today in its conviction of the curse of gambling and its sincere purpose to give it no quarter in Medford.

"Mr. J. T. H. is still laboring under the hallucination that "some prominent horseman" furnished the minster with information about Combination and Mystic Parks." The truth is they were not dependent upon any such information and no horseman, prominent or obscure, came to them with or furnished such information. At the public hearing which he invoked and to

which he alludes, horsemen were quoted who testified to the debasing effects which usually attend horse racing. The facts which were used were commonly known and proven before the court, who, on four different occasions condemned different persons for gambling at the park and affixed fines ranging from \$25 to \$1,200.

"As to this plot of land now offered for sale, would it not be a happy termination if the city might become the owner and convert it into a healthful and beautiful recreation ground?"

"Thanking you for the privilege of so long a letter, I am,

Very truly yours,

(Rev.) ISAAC PIERSON.

Medford, Sept. 4, 1901.

Just here I will say, Rev. Mr. Pierson is a wise financier, if the fact that he has been virtually driven from South Medford by the King's Daughters, proves him to have been an unwise minister. It would be from the point of view, of such a man, certainly wise for Medford to buy out of its taxable property a place worth say \$100,000, and carry the same at an annual interest account alone of \$4000 as a park for South Medford. However, I will give a few more facts.

At one of the regular meetings held at Combination Park Ex-Mayor Palmer of Lowell, Mass., a member of the Board of Appeals said to a party of gentlemen,

"the Hickses have done more to elevate trotting races than all other tracks."

Of course, I replied to Brother Pierson's "Mercury" letter. Here is my answer.

To the Editor of the Medford Mercury.

Dear Sir:— I have carefully read the letter of Rev. Isaac Pierson, published in your valuable paper of September 6, and in reply I wish to say that I had been arranging another public meeting of the citizens of Medford, but after reading the reverend gentlemen's letter there is now no occasion for such a meeting as really it was the Rev. James Barstow and the Rev. Isaac Pierson and that "prominent horseman," whose name they have concealed that were responsible for the first citizens meeting. The citizens who attended that meeting and heard the questions I asked the reverend gentlemen, and their answers, will need no further information after reading Rev. Isaac Pierson's letter in the current issue of your paper. Those who were not present at that meeting who may wish more information should obtain a copy of my catalogue now in press which contains a long interview published in the "Boston Globe," (see Mr. Hicks, interview with Rev. Mr. Barstow.)

You will notice in Rev. Isaac Pierson's letter of last Friday he says that he received the elaborate programme I recently issued and, of course, he read it all

through, as he says. His reply indicates to me the only points he cared to deal with were, to still shield that "*prominent horseman*," and to suggest that the city of Medford buy the park.

A sensible idea, Brother Pierson. Call your committee of twenty together, and if I have not already given the city my part, I will repent and join hands with your committee and make a committee of twenty-one, and give the Parlor Track of the World to the City.

Oh, what a place they would have! Build a subway from the front of the grand stand to the infield, laying out the infield for games, and paths with flower borders; keep the fences white, and no other city in the world would have a place like it.

Very respectfully yours,

J. T. HICKS.

Parker House, Boston, Sept. 11, 1901.

No doubt a preface and a prelude combine to make a book heavy in front. Well, some horses trot faster with toe-weights and some don't.

I could give a fairly accurate line on such book-making as has been done at some racing tracks, but, as this is my first touch with this sort of book-making, I'm trotting a go-as-you-please race, and consequently don't expect to trot on the rule but I'll trot to win, and won't allow betting on heats.

SET AND SPRING YOUR OWN NET OR TRAPS.

**ADDENDA TO
WHAT HAPPENDED TO ME IN GOOD OLD MEDFORD.**

Eight years in court with eight lawyers on my side! What an experience! In consequence of it I am almost forced to believe that cases once entered never outlaw in court, even though a consequence of their delay is, in some instances, impoverishment of litigants.

The Combination Park grand stand case is the one of which I now write.

In 1896, to avoid litigation, I offered to pay Bailey the builder and Clough the architect amounts which experts showed to be more than their due. Both contested me, but in 1902 the architect accepted the sum I offered for full settlement in 1896.

The builder failed, and in settling with his creditors, included as an asset a claim for \$4400.00 against me. I disputed that claim, and was upheld by disinterested experts who decided that, taking into account the amount necessary to complete the stand according to the contract, Bailey had been over paid. In spite of their verdict, having a desire to keep out of court, I offered to pay \$1100.00 in full settlement of the claim. Bailey's creditors sued me for \$4400.00, and my first attorney advised me to pay the full claim. Finding this lawyer number one to be a man who would not defend

SET AND SPRING YOUR OWN NET OR TRAPS.

a client in court but would take his money out of court, I paid him off, and employed number two. After a number of hearings before an auditor, this second Blackstonian knight advised me to settle at \$2200.00, which the plaintiffs agreed on as a compromise. I immediately paid off attorneys number two, and engaged another champion. Number three attorneys finally advised me to settle at \$1100.00, which the plaintiffs agreed should be a payment in full.

Having liberally paid my sequence of lawyers for doing nothing more than to bring the case to the point at which it started, I paid off attorneys number three, deciding that, as the plaintiffs had caused me large cost and much trouble, I would not pay them the \$1100.00 which I had offered with the view of avoiding expense and trouble.

This case is now sleeping in court, and has been practically controlled by G. A. Graves since Aug. 28, 1898, the date of that contract and lease and not without a motive on the part of those who may be interested in delaying it, as I view the matter, because unless I am mistaken, this case may have a bearing on other cases involved in the now questionable title to Combination Park.

SET AND SPRING YOUR OWN NET OR TRAPS.

CHAPTER I

My experience with lawyers teaches me that the Supreme Court, and all individuals who look to the courts for justice, need protection. I believe the Supreme Court of Massachusetts wishes to render honest decisions as to facts between individuals, rather than give verdicts on understandings which often reach them in forms which result in wronging the individual who seeks only for his rights.

I believe the wrong done clients whose cases are warped and twisted into a hopeless snarl in the lower courts, results from, say! for charity's sake! the incapacity of certain attorneys, court clerks and judges.

I believe one judge sitting alone, should deal with only one case at a time, and give his decision on that case before hearing another. Such a course would prevent decisions being delayed until months after the case was heard, and would help close the door through which questionable agreements creep into the halls de-

icated to justice. If extra expense resulted from such a course, the persons seeking justice could well afford to pay the cost.

One may not wisely make such statements and suggestions as the foregoing, without a fact basis for the same, therefore, in support of my position, and for the benefit of the interested public, I call attention to court records of the case in which John T. Hicks was the principal complaintant, and Geo. A. Graves the chief defendant, a case which, by the connivance of attorneys, left as clear a trail in the courts as a deer would leave when swimming a pond.

Simply thinking about that case is enough to cause a man to class lawyers with spiders, and to denominate courts as great webs spun by them for the entanglement of victims. But now for facts. The case referred to was first listed as Hicks *vs.* Graves; later as Hicks *vs.* Hicks; and still later as Hicks *vs.* Geo. H. Hicks, yet it was continually the case as first listed, and the plaintiff never knew why it was, or could be otherwise brought into court. The plaintiffs' attorney was Edwin D. Sibley, who called to assist him, J. W. Keith. The defendants were represented by Creed and Crosby. This case was first heard in the Superior Court by Judge Braley. His decision evidently made plain to the defendant and his attorneys that the case would not be safe, from their point of view, if tried in the Superior Merit Court before Judge Richardson, for they caused

it to be side-tracked into a small room where it was heard before Judge Fessenden, with one Bovell, who at the time, I understood to be only a stenographer, but later learned had been agreed upon as a commissioner of evidence.

The records of that hearing explain themselves, and make plain also, the great effort I was forced to make before getting the case appealed. They further show how little evidence my attorney chose to offer, and now, among the many parchment ghosts hovering around the clerk of the Supreme Court, they await presentation before that tribunal.

After discharging my attorneys I received assistance from others to get the case appealed, but failed to find an attorney who cared to take the case, and be obliged to bring out all the facts concerning its earlier stages. They all said, "I had a good case which had been poorly handled." Therefore, surrounded by legal lights whose one aim in life is to keep themselves burning, at the public's expense, and to throw no light on their own doings, I was left to grope my way in darkness, alone.

Had I not been thoroughly frightened by certain attorneys—who pictured the punishment sure to be awarded me if I, an humble man, only one of the people who pay the court officials, but one of many whose servants the judges are, appeared personally before the Supreme Court—I would have prepared

myself to state the facts to that honored and honorable body. I know they would have freely granted me a hearing and awarded me justice, for such is the character of that honorable and worthily honored body.

In place of preparing myself, I at first decided to remain silent. On the morning when the case was to appear, however, I went alone to the Supreme Court room simply to see who was there of those interested in the case and what action was taken in it. The only persons I saw were M. J. Creed, for the defendant, and J. W. Keith, whom I had discharged. Of course, their right to be there was equal to mine, but when I saw them advising together my blood began to boil.

When the case had been called, which had been listed three different ways, and M. J. Creed answered for the defendant, I respectfully asked to be heard for the plaintiff. What I said and the statements left there by me are court records. Chief Justice Holmes very kindly made plain that the court wished to deal with facts, but were confined to dealing with evidence as it came up from the lower courts.

In my case, that court could not then deal with facts, because decisions and decrees were passed back to the lower courts and a final decree was asked for before Judge Richardson.

I had printed the copy of a registered letter sent my attorney, Edwin D. Sibley, the copy of a registered letter sent George A. Graves, the defendant, the copy

of a registered letter sent the clerk of records, a statement showing there was every reason why this case should not be dismissed, and until the morning of the hearing for a final decree, intended to personally appear at the court. Then I wished to appear, but was too ill to leave my bed. I did send the papers to the court, and know they were left there.

I believe Judge Richardson ignorant of the fact that the attorneys avoided having this case originally heard before him, and that because he did not know the whole facts, were willing that it should come back to him for final hearing and dismissal.

When I asked the clerk of Judge Richardson's court why my case was side-tracked to that small room, he replied: "The only reason given by the attorneys was, 'A bank book has been lost.'"

That last named bit of evidence reminds me of an experience one of my employees had and an answer he gave.

He was being interviewed by persons interested to know as to what evidence he would give in court. After he made himself clearly understood, they answered: "We can prove it was not that way."

Mr. Reardon then firmly answered, "I am simply telling you how it was, not what you can prove."

To the readers of this book, I say, as did Mr. Reardon, "I am simply telling you how it was," concerning this case, not what conniving, so-called lawyers can prove.

I believe court records, registered correspondence, with replies from the defendants, together with other recorded facts, will prove all I indicate or claim, and will establish the fact that the public is justly entitled to ask of, yes, demand from its General Court—the maturing power paid to safeguard citizens' rights—one law so simply framed and worded, that the humblest may understand and apply it, viz: just such a law as I asked his Excellency Governor Bates for, in his private office, (see correspondence to follow) before he delivered his first inaugural address.

This simple law might be printed in large type, hung conspicuously in every court room and thus made plain to any man, who was satisfied his case was being sold out by his attorney, that he could state the case, as he understood it, in his own words to the court, without being a subject for contempt of court charges, which is now supposed to be the lawful penalty attachable to a man unclothed with legal sheepskin, who dares open his mouth in a court room except when being examined (what a travesty on language, examined: that is, tortured, vilified by inuendoes, punctured by satire, inquisitioned by slurs, defamed by hints, invited into traps by words twisted among roses over thorns) by an attorney whose conscience is absolutely pure because it is never used.

That there are honorable attorneys, we all know. That gentlemen have honored the bar by permitting

their names to be enrolled among its members is as well known, and that both the State and the Nation owe much of their prosperity to men who honored Blackstone by being his pupils is a matter of history.

The world-renowned Commonwealth of Massachusetts can well afford to enact liberal laws; its prestige guarantees just laws, and its wisdom should insure their proper enforcement by lawfully appointed, as well as properly qualified, authorities.

Misrepresented organizations beyond the States' full and direct control should not be permitted to exercise legal authority, neither should unattached particles of humanity styling themselves "agents," be permitted to plant seeds of evidence in their witness fee gardens.

If Christian people wish to gain the confidence of the public, they should not permit those representing them in what they term "the battle against sin," to disgrace them by employing the vilest species of once men to do their work. They, the people we know to be good, should join hands, do their own work, give wise advise to sinners, and hide no wrong, especially that cultivated in their own societies, which sad be the truth, have been known to foster vice for the profit obtained therefrom.

Just an entry or two at this time about betting on races. Auction pools, properly controlled, should be allowed as long as the stock exchange exists, or

churches hold prize fairs. Yes, men should be permitted to back their opinions of a horse until betting on presidential elections is forbidden, while stakes are laid on state elections, until newspapers cease to seek new and retain old subscribers by guessing and other prize contests; in fact, from a good old horse sense point of view, man should be lawfully permitted to wager his money on horses under legal protection until the day comes when the element of chance is eliminated from human life.

I'm only a sprout from the tough trees of Vermont, you know. There was not a glass roof over the garden wherein I caught my first breath of the air which is common property for all men, but I've thought out a winning question on this betting business, viz.: When has man lived on a certainty, done business on a certainty, or died on a certainty?

Call that off for the present and get back to the first entries.

H. E. Willis of Mystic Park objected to heat betting. John T. Hicks of Combination Park positively refused to allow heat betting, because he believed such placing of money might be governed by other than the natural risks of horse racing. John T. Hicks also finally refused to do what is known as "squaring the door or gate," a process explained briefly by the following fac-simile of the pool selling business done at Combination Park on its two opening days.



Sales

1st Day 25289

2nd 29989

55278

.03

1658.34

more's Card
season of
1896.
opening days
Square & Door

115.

$\frac{5}{8}$) 1543.34

964.58

I believe all voters and tax payers should join issues and demand of their representatives in the General Court either a fair license law, under which all properly managed race tracks, be they operated for machine, human or horse racing, shall be operated, or insist that every form of gambling now in daily operation be stopped by legal process. That would bury the spies and blackmailers, and thereby abate at least two forms of public demoralization.

I'm going to ramble over the field a bit now, and read some of my signs.

Ex.-Gov. Black said: "He is a wise man who knows how to select a good attorney."

I believe he indicated that one who was connected with the office or care of justice was most desirable. He might have added, for the benefit of those unfamiliar with the fact: If a man makes a mistake when selecting a Massachusetts attorney, he need not apply to the Bar Association for protection, because they have no printed forms for complaints for those outside the bar, and they are not needed by those inside.

The best attorneys have abundant business outside of politics, hence the complexity of Massachusetts laws.

Is it wise to permit what I class as divided-up attorneys, to make, control and execute the laws as much as they are now doing? That can only be

decided by votes cast by men now suffering in consequence of such a faulty construction of our General Court.

Has the time arrived when we must have a Business Man's and a Reasonable Labor Man's party?

Think that over.

I have no apology to offer for my style of placing ideas, and my manner of making statements, because I started in life with a head as large as a pumpkin, but empty of education, the result of my own folly, not the fault of my parents, that is, the empty part.

Thus, you see, my head contained abundant room in which to store the experiences I have harvested while in contact with men who have received honors, medals, diplomas and mental momentum from colleges.

My road has not been particularly smooth, and some experiences have been very bitter, yet I've kept on sawing wood.

CHAPTER II.

The facts recorded under the foregoing heading might mathematically be numbered much higher, but as I believe periods in man's life are logically classifiable only in their true sequential order, I will proceed in that way, trusting the public will pardon my departure from conventional methods if the gate



J. T. Hicks at 16.

"squares" with its own frame when the "all out" is rung.

Experience having scored a winning or two in my head, I began to wonder if the executive department of Massachusetts would assist me in intelligently, safely, wisely and honorably closing a few breaks in the warp my destiny had woven somewhat bunchily with threads spun by other men. Therefore, on September 20th, 1901, I wrote the following letter:—

To His Excellency, W. M. CRANE,
Governor of Massachusetts,

My Dear Sir:—I take the liberty of addressing this communication to you, making a statement of facts as I understood them, and asking for information as to the proper course for me to pursue.

I feel that my son, Arthur Tyler Hicks, as well as myself, has been unjustly disgraced in the courts of this Commonwealth. I understand that the judge in Malden receives his appointment from the Governor.

The enclosed catalogues will make plain to you that we were making an honest effort to conduct Combination Park within the law, to have honest contests, and protect every person who paid admission at the gates.

I need only to refer you to the statement we made His Honor L. H. Lovering, the then Mayor of Medford. The records at Medford police station will show that I

was arrested as William Tall, and this in face of abundant proof that the persons arresting me knew my right name as well as they did their own.

At Medford I, as William Tall, gave bonds for appearance before His Honor, Judge Pettingill at Malden, appeared, and when the name William Tall was called by the clerk I did not answer; the third or fourth time it was called, it was William Tall or John Tyler Hicks. I answered to John Tyler Hicks.

The court wished to know "why I did not answer the first time my name was called."

I replied that I did, and that my name was John Tyler Hicks, not William Tall.

At this there was consultation between the court and those responsible for my arrest.

I remained in the court room for some thirty minutes or more, while those responsible for my being there retired to a side room and later returned with a warrant made out for John Tyler Hicks.

The hearing then continued, Judge Pettingill finding me guilty and imposing a larger fine than I believe any person had ever received for pool selling, which is known to be against the law, while the offence I stood charged with had not at that time, nor has since been declared against the law by any court.

I was then in the hands of the court and had to abide their decision. This time I telephoned for parties to come to Malden and give bonds.

After court adjourned, as Judge Pettingill came out, I considered I had a right to speak to him,

As I approached him he said : "Why! How do you do, Mr. Hicks? I know you."

I replied, "Why! Certainly you do."

He said, "I have eaten many good dinners at Masonic and other gatherings supplied by you as caterer."

I said : "Judge, I cannot understand how you can allow those persons to bring me before you as William Tall. There is only one reason why I am here and that is the decided stand I have taken against heat betting and settling with blackmailers."

At this time we had arranged another meeting at Combination Park. The purses were four, or six thousand dollars (I forget which) that we intended to run, under the Hicks Co-operative Racing Plan, which we believed then, and still continue to believe to be inside the law.

Two or three days in advance of this meeting, I visited the offices of the different newspapers published in Boston; among them the principal ones, requesting them to send a reporter to the office of my attorney at nine o'clock the next morning, as I wished them to go with him to the office of the Watch and Ward Society, number twenty-eight School Street.

My attorney had requested the officers of this society to state what laws they were going to enforce

as well as those they were not, and they had agreed to give their answers at the time above stated.

The information they offered was, that "they did not understand that they were obliged to state which law they were to enforce or which they were to overlook."

The entries to the referred to meeting at Combination Park had closed, and I was in duty bound to give the same; however I made up my mind, as I had been so unjustly dealt with at Malden, I would take no more chances with those who controlled the court in that city.

I accordingly requested my attorney to go to Malden and state the facts to Judge Pettingill; I also said that unless I received a telephone message from him from Malden, before the bell would call the horses for the first race that day, I would declare the race off, and publish my reason for such action.

Just before two o'clock, I received the telephone message, "to go ahead and give the meeting as intended, under the Hicks Co-operative Racing Plan,"

We complied with instructions received, but the following week we received a summons to again appear at Malden.

This is the time when I refer to what Chase, the president of the Watch and Ward Society, had to say to the Judge; also the time when Judge Pettingill fined me \$1,200.

I remained in the court room and did not telephone for bondsmen. As the court adjourned, Judge Pettin-gill wished to know if I was troubled in furnishing bonds.

I replied that I was not, that I believed I could get a hundred gentlemen from Boston to furnish them, but that it was now a matter of principle with me, and that my body would have to answer this trip.

His reply was : " I am sorry to hear you say that."

In a short time the open carriage that transports criminals from what I call the " Watch and Ward squeeze box " at Malden to the jail at Cambridge, came to the door. There were only three persons, two colored gentlemen and the so-called Wm. Tall, to go. They seated the colored men behind and chained them in. The sheriff was very nice, and accordingly gave me the honor of riding on the front seat with him, and in my case evidently deemed the chains unnecessary, as none were used.

My position on the front seat gave me an excellent opportunity to salute my neighbors on the way to Cambridge, and on arriving at the jail I was cordially received by the warden. He had also eaten my good dinners. (I am sorry to say the one he furnished me, some time later, could not carry that title. It was healthy, nevertheless.) But he was not responsible for my being there, and it seemed hard work for him to realize I was there as a criminal; but such is life.

Here I had to disgrace my father and mother by having their names recorded. First, they took all dangerous weapons from me (I don't think I had any money); next, they removed all my clothing in a public office, which, as I am inclined to be modest, was very embarrassing; next, they weighed me, measured me, recorded my age, and then under guard escorted me to that elegant shower bath which they have — I do not recall the date of the bath I had previous to this —; next, another guard escorted me to the whitest, cleanest cell I was ever in; and the lock which secured the door would weigh at least twelve pounds. I could, however, look out through the bars at their beautiful flower garden, and I at once straightened myself on that board and straw bunk, and within a few minutes was at peace with the world, forgetting in sleep the fact that Davies, the Watch and Ward agent who arrested me under the name of William Tall, had vacated a similar cell but a short time previous to his joining hands with the Watch and Ward Society, an alleged Christian organization.

Some hours later I was awakened by a terrible disturbance. I was at first frightened, believing it must be a fire outside, but was soon reassured, as I realized there was no chance of it reaching me. Upon rising and going to the iron bars, I learned the noise was occasioned by Mr. Fred Smith, clerk of the jail, an acquaintance of mine, as well as of my family,

trying to awaken me. He said: "What in the name of God are you here for?"

I replied: "I felt interested to see how they run this place and I thought I would come here and look you over."

He wished to know if I knew it was Saturday afternoon, and upon my replying affirmatively, he informed me that if I was not bailed out very soon I would have to remain until Monday.

I replied: "That's all right. I'm going to remain here until I get a chance to tell my story to the reporters."

He then said: "Hicks, if you should stay here two months—and I don't think your case can be called inside of that time—you will have no chance to talk with the reporters."

I inquired the reason I could not talk with the reporters as well as Hathaway of Somerville had, when he was here.

Smith replied: "You are here as a criminal, while Hathaway was here as a poor debtor, he refusing to pay what he considered an unjust tax, notwithstanding the fact he was financially able to do so did he so desire."

You will accordingly see we were both there as a matter of principle.

Mr. Smith further informed me that my son and my son-in-law had telephoned him and were very

anxious to come to Cambridge and bail me out. I replied: "If it is a matter of two months you better let them come."

As soon as I was out I commenced to prepare to meet my enemies at the next session of the Superior Court at Cambridge. The records there will show for themselves, as will also a letter which appears in my second edition catalogue, addressed to my attorneys (at the time) Messrs. Nason and Proctor.

What is the proper way for me to proceed to make the records at Cambridge, Medford and Malden read so there will be no stain on the name my father and mother gave me, or on that of my son? also to make an example of the unprincipled persons persecuting me, when their motives must be so clear to every fair-minded person?

Trusting you will favor me with a reply, I remain

Very truly yours,

JOHN TYLER HICKS.

P. S. For identification, I respectfully refer you to Mayor Hart, Senator Holden or Senator Swallow.

JOHN TYLER HICKS.

Men of Massachusetts! My experience in a busy life, embracing farming, trading, commercial dealings on a large scale, and a social touch with men from all



Commonwealth of Massachusetts.
Executive Department.
Boston.

Boston, Sept. 25, 1901.

Mr John Tyler Hicks,
Parker House, Boston.

Dear Sir:-

I have received your letter of the 20th instant, and have given careful consideration to the statements which you make. In reply to your inquiry as to the manner in which to proceed to secure changes in the court records at Cambridge, Medford and Malden, I beg to say that that is a judicial question over which the Governor has no control. I regret, therefore, that I am unable to advise you,

Very truly yours,

W. M. Brane

walks of life, had taught me that the head of our State government had direct authority over his appointees, else he had not power to appoint them.

Neither you nor I know of a way to honorably apprise one in authority of facts vital to the common interests except that opened through direct personal speech or correspondence. And, men of Massachusetts, I am sure we all agree on deciding our Chief Executive in duty bound to do what heads of other corporations daily embrace in their labors.

Governor Crane's letter speaks for itself.

CHAPTER III.

Why or how exotics to the individual fix themselves in men's brains, is to me, at least, a mystery. Especially is it inexplicable to me how I remembered a religious hymn mother sang in my boyhood, and why, at the time in my life when it seemed to apply to my thoughts, its words came to me. However, all that may be, before writing Governor Crane, memory held up the following lines :

"The world is very evil;
The times are waxing late;
Be sober and keep vigil;
The Judge is at the gate;
The Judge who comes in mercy,
The judge who comes with might,
To terminate the evil,
To diadem the right.

Well, the Governor didn't seem to fill that bill, and I must confess his letter made me feel much as did a young chap who once got the first red ear at a corn husking. He was a very bashful chap, but tremendously in love. His enamorata was a frolicksome beauty who delighted in tormenting him. That, I believe, is a sort of common heritage to the fair sex, however. Now to the story.

You all know the prize for finding the first red ear; well, Bashful Chap looked around for the tormenting beauty.

Not a sign of her could he discover.

Girls were tittering, boys laughing, and Bashful Chap was redder than the winning ear.

"She's in there!" finally whispered one of the girls pointing to a door.

"In there" went the lover, eager to win the kiss which was due.

The husking was in the big barn. The door passed by Bashful Chap opened on a long ell connecting the house and barn. That's the geography; now for the catasrophy.

While the young chap was groping around in that dark ell, each moment expecting to embrace the maid, changes went on rapidly among the huskers.

At the end of the ten minutes, or thereabouts, the door through which he entered was opened and a voice called, "she's out here now! Hurry up!"

Getting out of the darkness as quickly as he could, the young chap entered the brightly lighted barn, rubbed his dazzled eyes—stood like a statue—gazed bewilderedly at a group in the centre of the floor, and for a moment seemed ready to collapse.

He was good stuff, however. Sand all through, and waiting until the parson had married his girl to a chap from Brattleboro he went up to them, right smart and spunky, saying, "I got the first red ear, all the same, and I'll find a prize worthy of it. Good luck to you, I'm all right."

Well, I got over the rebound of the Governor's letter, and then tried again as follows :—

Boston, Dec. 4, 1902.

HON. JOHN L. BATES,
State House,
Boston, Mass.

Dear Sir:—I most respectfully ask for a private interview, to be made public later if you wish, believing that you are now preparing an inaugural address in which reforms will be advised.

I wish to offer you proof, that for the benefit of the people, protection should be offered in some form, as indicated by the enclosed notice, to be hung in the court rooms, as I am laboring under the impression at the present time, if the person being wronged should ask

the court for protection, he would subject himself to sentence for contempt of court.

Sincerely yours,

JOHN T. HICKS.

29 Royal St., Medford, Mass.

In reply to the above I received a letter from Gov. Bates which is re-produced opposite.

On the Thursday appointed by His Excellency I was cordially received by Governor Bates in room 429 at the State House.

Together we discussed, he tentatively, as became his official position, the subject outlined in my letter to him December 4, 1902, and I suggested the following as a draft for a simple law, a just law, a necessary law:—

If while your case is being heard in court you are satisfied that by an understanding between the attorneys your case has been sold out to the other side, State the Facts to the Court! Failing to do so, for all time thereafter remain silent.

"Governor," I said, "what person will raise his voice against a simple, yet vitally protective law, like that?"

In order that His Excellency would have a verbatim replica of some ideas advanced then by me, I had prepared a memorandum of them, issued in duplicate,



Commonwealth of Massachusetts,
Council Chamber,
Boston,

Boston, Dec. 5, 1902.

John T. Hicks, Esq.

#29 Royall St.

Medford, Mass.

My dear Sir: -

In response to your letter of the 4th inst. I beg to say that I shall be glad to see you at Room 429 at the State House on Thursday next at ten to 12 A. M.

Yours very truly

John L. Butler

as follows, one of which I gave him at the close of our interview :—

Memorandum.

It is my wish that the laws of the State shall be properly enforced by those in authority, honestly and in Justice to all.

It is my wish that all the lower courts in this Commonwealth shall afford all the protection possible to citizens who are obliged to apply to them for protection, and especially that all criminals have a fair trial. When this is done the higher court is assisted in passing honest judgment.

Simple, plain laws are best, because laws should be framed for the people's protection.

It is my wish that all new laws be as liberal in form as is consistent with the dignity and high standing of this Commonwealth.

My attention has recently been called to the laws referring to racing horses on tracks, or fair grounds in this state, some of which are controlled by agricultural societies receiving assistance from the state, others owned and controlled by New England breeders of horses, and a third class owned and controlled by private citizens.

Since all of the above named properties are equally subject to taxation, each and all should be given the same legal espionage, as well as protection.

While I am opposed to gambling in all forms, yet, if a special law can be drawn that will afford justice to all the tracks, a law in keeping with the dignity of the State, a law providing the stock exchange, church raffles, card games, and all forms of chance equal protection with race tracks, a law which would aid in elevating honest sport and contest, I would approve it, as a citizen.

It is easy to enforce just laws, while unjust laws are hard to enforce.

It will be constantly my earnest effort to assist the Legislature toward justice for all, but injustice to none.

Men of the World! I am acquainted with the names applied to talkers without-breaks, yet, because a beginning in reform can only result from actually commencing the same, I'm going to give a sort of resume here of the world's experience with lawyers in general.

With a cunning lawyer, every client has not only a case, but a good case; the truth of which they must decide when the case is over, which they will often find to have been only a good case for the lawyers, and a hard case for themselves.

My life upon it (which is not worth much, perhaps, yet keeping it has cost me much, in all these years, while rubbing against experience has worn off my rough edges and polished the mirror of my brain), there is something wrong in all this.

Surely a people have a right to understand the laws they are amendable to.

But who can, as they are now framed?

No one — not even the lawyers themselves; and the judges are often at issue on the meaning of a statute.

Oh! for less law, and more common sense. For less jargon, and more simplicity. Wrap up medicine in Latin names, if you will, or throw it to dogs if you wish to kill them, but of all things, let our laws be intelligible to every one who can read and understand, free from technicalities, and ground them upon reason and justice. Prepare them so that every man might be his own lawyer.

No man would be fool enough to go to law if he thought he was not supported by the law itself; but when his counsel comes to argue it in court, they find they do not understand one word of the Act, which the Court rules to be against them.

At such times, the defeated man is bound to fight on until he hits a law which will be in his favor. The lawyers pat him on the back, cry "good fellow!" and in goes an appeal to a superior court. Superior for what? Why, for overruling the court below.

Well, the man who won in the inferior court, and lost in the superior court, feels aggrieved, and flies to his counsel for consolation and advise. He gets the latter. "New trial, sir! Certainly, sir! We have

other evidence—have many exceptions. We'll win in the end; bound to, sir, for right must prevail. You're a game fighter, sir." He fights on until—the lawyers have sheered him to the last pin-feather.

A few years ago I had the pleasure to hear the author of the one song among all others in America lead the voices of seven hundred business men who were at a banquet of the wholesale druggists for whom I was catering. The song was not sung by mechanical rendition of notes, nay; their hearts sang it, and they, the seven hundred men were then but one mighty instrument of many tones touched by the leader's hand and inspired by love of country. The Star Spangled Banner was then rendered with equal fervor. Then and there those men were imbued with the true patriotic spirit which has made and now makes possible National security. That's the lesson I wish to draw from those songs—National security.

In National Security, as I contend, must be protection of the humblest individuals' rights; also, the fullest and most careful attention to details by those we select as servants in high places.

This last thought prompted me to again approach the Chief Executive of our Commonwealth, with the hope that my case might serve as a remover of dangers from the paths of my fellow citizens. To that end I wrote as follows:—

CHAPTER IV.

Boston, Jan. 13, 1903.

To his Excellency, JOHN L. BATES,
Governor of Massachusetts.

My dear sir :—At this time I wish to thank you for the liberal interview granted me Dec. 11, 1902.

In reading your address I note the advice "that the Equity Courts should take the form of an auditor's report, leaving it for the higher courts to deal with all the facts." To my mind this will offer great protection to individuals.

My experience has convinced me beyond doubt, that for protection of the individual, every important case should be passed upon by the Supreme Court, or a jury, and if a case is to be passed upon by a single judge, he should render his decision in that case before hearing a second case.

The court records will show that my case was properly dealt with in the Equity court before Judge Braley. The defendants disobeyed his request, however, by selling some of the property. The court records will also show that my case in the Superior Merit Court should have been heard before Judge Richardson ; but by an understanding of the attorneys, and most likely the defendants, it was side-tracked to a committee room, being heard February 13, 1902. Then, I understood one Bovell was acting as stenographer, but later learned that he was acting as a com-

missioner to take evidence; evidently for the defendants, as the plaintiff could not get a copy of the evidence until April 15th, while a decree had been entered against the plaintiffs on March 19th.

The report of findings of the court, as well as other record information in my possession, will make plain and establish the fact that a few days in advance of the date of the decree, March 19th, Judge Fessenden had a private interview with the attorneys and divided up the exhibits in the case. Not one of the findings, so far as the plaintiff's rights are concerned, can be found to be true. No exceptions had been taken by the attorneys on which to appeal, and had the plaintiffs taken the advice of the attorneys and gone to New York on the 21st of March, 1902, for three or four days, the time would have expired in which all chance of appeal would have been lost.

The plaintiffs can show that it cost them some two hundred dollars to get the case appealed, where the case now rests, as far as the plaintiffs are concerned, in the hands of the Clerk of the Supreme Court.

The Clerk of the Supreme Court sent a notice, not dated, to the plaintiff notifying him certain briefs should be filed on a certain date. It was not possible for the plaintiff, without an attorney, to file those briefs. On this point I need only to call your attention to the letter and bill I showed you, of Bartlett and Anderson.

The court records in this case have been improperly kept, also misplaced.

The case has been listed as *Hicks vs. Graves*, which is correct; and then changed to *Hicks vs. Hicks*, and later to *Hicks vs. Geo. H. Hicks*, while in fact, Geo. A. Graves is the defendant who received the bill of sale of the personal property and the deed of the real estate.

The last notice I received, was a notice from Creed & Crosby, stating that on a certain date they should make a motion for a final decree, at a special hearing in the case *Hicks vs. Geo. H. Hicks*. I hurriedly prepared a printed brief, intending to appear at that special hearing, giving my reason why that final decree should not be granted. On the day appointed I was ill in bed at my residence, 29 Royal Street, Medford, and therefore could not attend court. Stating that fact in writing on the margin of my brief, I sent the same to court by my stenographer. At the proper time she handed it to the clerk and saw it placed in Judge Richardson's hands. Afterwards, the clerk went to my stenographer, and told her there would be nothing more done today in the case. As she came out of the court room she saw my brief in Attorney Creed's hands.

I have not received notice from the court of this final decree. I called on Mr. Ballou, the clerk of the court, asking how the case stood, and was informed by

him that a decree had been entered. I asked him how that could be when there was an appeal. His reply being unsatisfactory, I wrote him later, and received a reply which I have on file.

I attended a hearing yesterday, January 12th, before Judge Hurd, in a case which had been in court since 1896. It is also in connection with this same Combination Park, and has been intentionally kept where it is, as will soon be made plain.

I am going to considerable expense to illustrate the premeditated, carefully planned blackmailing scheme that was commenced against me in 1897 for no other reason than that I was opposed to heat betting and settling with blackmailers at Combination Park.

I have now hung in my house twenty illustrations in black and white evidence, original letters fixed on board 22 x 28 inches, covered with glass, and framed, all of which I intend to have drawn, and re-produced on stone.

You will remember my calling your attention to the fact that before my case was called, as my attorneys would not use the most important evidence or witnesses to prove the bill of complaint they had drawn, I went to Mr. E. B. Hale, attorney-at-law, for assistance. I found him too ill to attend court. I then asked him if it would be safe for me, if the case was called and I was satisfied that I was being wronged through an understanding of the attorneys, to state the

fact to the court in presence of the attorneys. He replied by saying he could not advise it, as it was a dangerous thing to do. He would remain silent and take chances on the result.

I took his advice, and have the result.

I have applied to the Massachusetts Bar Association's Secretary of Grievance Committee, and learn they have no blanks, or forms of instruction for the use or information of citizens. I applied to Governor Crane, as the documents left with you will show, and was referred by him to the Judiciary. I recently filed briefs with the Supreme Court, believing they were the Judiciary.

The important question now with me is, is there anything left for me to do except writing this letter to you and stating the facts as I understand them.

I am simply a voter of this Commonwealth, praying for protection.

If the present laws of this Commonwealth are properly drawn to deal with frauds, cheats, false pretenses and deception, which may have been practiced by individuals before reaching court, should they not also be drawn in a form to reach frauds, cheats, false pretence and deception existing after a case reaches the Equity Court, and falls into the hands of persons, who thought to be in good standing at the Massachusetts Bar, prove to be as open for just criticism as any base deceiver.

I sincerely hope there is some form by which you can assist me to have this case honestly and carefully investigated in the interest of good government, which must afford honest protection to the people.

The records will show that in the spring of 1896, J. T. and A. T. Hicks owned all of this land, about thirty-five acres, on which Combination Park is built, free from mortgage. If the gang succeed in their scheme to possess themselves of a clear title to this property, using the Equity Courts of this Commonwealth as a cloak to cover such a disgraceful transaction, as the above referred to, that has continued since 1897, we will lose this valuable property, located within three miles of State Street, Boston, and all the money we have expended on it.

Awaiting your advice, I am,

Respectfully yours,

JOHN T. HICKS.

Boston, January 27, 1903.

To His Excellency, JOHN L. BATES,
Governor of Massachusetts.

Dear sir:—Your communication of the 16th instant was received.

I was disappointed in the way it is worded, the same as I was disappointed in the reply I received to my letter to Ex-Governor Crane.



Commonwealth of Massachusetts.
Executive Department.
Boston.

Boston, Jan. 16, 1903.

Mr. John T. Hicks,
#29 Royall St.
Medford, Mass.

My dear Sir:-

I have your favor of Jan. 13th before me The matters concerning which you wish advice are purely of a legal character, and such as you must depend upon your counsel for I should be glad if I could be of assistance to you, but I see no way in which I can be. If a member of the bar proves unfaithful to his trust, there is a right of action against him. If he is a man entirely without means, of course that right of action is not then of value, but that is something no law can provide against. Parties have the right to choose their own counsel, and certainly the great mass of lawyers of Boston are capable and to be trusted. The trouble in your case seems to have been that after you had lost confidence in your attorney you allowed matters to run along without representation in the courts until your rights were lost If there is any way by which the matter can be brought before the courts again, it must be done through some lawyer With regret that I cannot see any way to assist you, I am,

Yours very truly,

John L. Bates

I can assure you no one could regret more than I do the misfortune of being unintentionally drawn into this important controversy. In dictating this letter, for which I alone am responsible, it is my earnest wish I shall not say one disrespectful word to the Father of the Commonwealth.

It is now an established custom for those who aspire to filling our highest office, to make plain before election, that if the voters wish an honest government they must vote for them.

The letter I wrote to Ex-Governor Crane, and the information I conveyed to you, also printed articles I left with you December 11, 1902, at the private interview you so kindly granted me, to my mind, furnished sufficient proof that the worst form of blackmail existed and was being carried on under the cloak of the law in this Commonwealth. I do not need to say more on this point, except to make plain to Your Excellency that what is indicated above is the first branch of my present case in court. I can see no good reason why a voter and a citizen shall be blackmailed out of a valuable property by persons working under the cloak of the law, as has been done in my case. What more could I do than call the attention of the Governor of the Commonwealth to the facts, in the quiet, respectful way I have done in this case?

The second part of this case appears in the fact of the case now being heard before Judge Hurd; Bailey vs.

Hicks, that has to do with the same property. It has been in the courts since 1896, and has been intentionally kept there by an arrangement between attorneys, and has furnished the key by which the defendant G. A. Graves and his advisors have worked, not to get every dollar with interest that honestly belonged to G. A. Graves, but to intentionally plan and conspire to cheat, misrepresent and defraud the plaintiffs, and in place of G. A. Graves, the defendant, getting in money more than every dollar that rightfully belonged to him, it was their policy and plan, as there is an abundance of evidence to prove, to possess themselves of a clear title to this valuable property by indicating and representing that they were going to do what they did not intend to do, as is plainly made evident, beyond doubt, when the defendant G. A. Graves locked the gates.

Now if members of the Massachusetts Bar are not responsible to any one but themselves, if the Judges, who receive their appointments from the Governor are not responsible to any one, if clerks of courts are not responsible for safe keeping of valuable papers, and properly notifying individuals having business with the courts, if the District Attorney is responsible to no one; by carefully considering the above facts, and then realizing that lawyers make the laws and practically control them as they wish, being accountable to no one but themselves, in view of all the above facts, a poor voter and citizen is at once very forcibly reminded of the late

Commodore Vanderbilt's remark, "the public be damned."

Governor, I should be pleased to know from what source you received your information indicated in your letter to me of January 16th, wherein you say it was neglect on my part that I did not secure counsel to take my case on appeal where it now rests with the Clerk of the Supreme Court? If I have not already furnished you abundant proof that there was no neglect on my part, I am prepared to furnish you that proof.

The Equity Court records will show this case was properly handled in a dignified and intelligent manner in said Equity Court before Judge Braley. The records will also show the defendants showed no respect as to Judge Braley's decision that they should sell none of the property until the case was finally settled. The defendants did sell some of the property, which to my mind would make it appear, they thought Messrs. Creed and Crosby, Attorneys-at-law were running this Commonwealth.

This case was then listed to be heard before Judge Richardson. I do not believe he knows today the reason the attorneys gave to his clerk to have it side-tracked to a committee-room. They would not have it heard before him, yet later came back to him for a final decree. The clerk told me "the attorneys said it was on account of a bank book being lost, the true meaning of which he did not know." The evidence in

the case being heard before Judge Hurd refers to a check book being lost, yet, out of that same check book was offered by this same defendant G. A. Graves, two checks that had passed through the Bunker Hill Bank, been pasted back into this check book, and the stubs with the checks torn out of the lost check book were offered in court.

Dear Governor, the way this case was side-tracked, and what transpired in that committee-room before Judge Fessenden, would to my mind, be a living disgrace to any little rookery of a village in the Phillipine Islands.

Judge Fessenden, as far as I know, should not be blamed for the evidence that was withheld and not presented to him, or the way what was presented, was handled by the attorneys, yet, to my mind, he did not act fair when he coached M. J. Creed, attorney, in his remarks, and censured the plaintiff, J. T. Hicks, when he tried to furnish the court information which the attorneys were bound to withhold.

The way the records were kept, were withheld from the plaintiffs for sixty days after the case was heard, and twenty-five days after decree had been entered against the plaintiffs; the way the exhibits were divided up with the attorneys, and the fact that the defendants had proof of the fact days before the decree was filed, while the plaintiffs had no knowledge for days after the decree was filed, of which fact there is abund-

ant proof, signifies to me a purpose to keep the plaintiff in darkness until all chance of an appeal was lost.

What business man cares to take such chances ?

It was for the above reasons I asked you, Governor, at that private interview, to advise a plain, simple law should be passed that should be hung in every court room in this Commonwealth, making plain to every person who is satisfied he is being intentionally wronged by an understanding between attorneys that he could then and there state the fact to the Court, in the presence of the attorneys, and require a record of the fact to be made for his protection, and by doing this act he would not be subject to contempt of court as I was. As I told you, Governor, I took advice on this point before my case was called, because I was satisfied I was being wronged.

If Judge Fessenden has not the natural detective ability required to-day by an up-to-date judge he should not be blamed, yet it is a great misfortune for a judge sitting alone, clothed with authority of the Commonwealth, to dismiss a case and enter a final decree, to lack that ability.

The limited experience I have had with the Equity and Supreme Court, suggested to me that Judge Bralley of the former, and Judge Holmes of the latter have an abundance of natural detective ability, brains, and good common sense.

The findings of Judge Fessenden when compared with the exhibits and evidence offered, explain themselves. I cannot understand how they can be found correct. So far as I know, the facts have not been passed upon by the Supreme Court.

As I cannot control the Massachusetts Bar Association, I do not wish to control the judges of the Equity Court or their clerks. My only wish is to obtain what is fair, honorable and just. I am sorry if I have gone beyond the rights of a citizen in calling attention to conditions and record facts of this case to Your Excellency.

Thanking you most sincerely for the attention and consideration you have shown me, I am, most sincerely, one of your obedient servants,

JOHN T. HICKS.

After sending that letter I had a hope, based on hope only, perhaps, that from the gilded dome so refulgent with light at night, so resplendent with gold by day, would come to me a happy issue out of my troubles; for in my humble trust in the methods which guided the lives of Ethan Allen and the many heroic men and women who founded the honor, the virtue and the prosperity of my native state—Vermont, the mountain land—the home of justice, I could see no reason why the Father of the Commonwealth should not, through the servants he appoints, look in mercy on



Commonwealth of Massachusetts.
Executive Department.
Boston.

Boston, Jan. 29, 1903.

Mr. John T. Hicks,
Royall St.,
Medford, Mass.

Dear Sir:-

I am directed by His Excellency the Governor to acknowledge receipt of your letter of the 27th instant, and to say in reply that your suggestions will have due consideration.

Yours very truly,

Private Secretary.

Francis A. [Signature]

me. Then did I heartily say "God save the Commonwealth of Massachusetts." Then did I look eagerly for the Governor's reply to the citizen to whom he is a servant.

CHAPTER V.

This period of my experiences may be briefly introduced with the following letter, and perhaps suggestively, too.

January 31, 1903.

Mr. FRANCIS HURTUBIS, JR.,
Private Secty., Executive Dep't.,
State House, Boston, Mass.

Dear Sir:—I hereby acknowledge receipt of your favor of the 29th inst., dictated by His Excellency, and which is very satisfactory to me. I have a mass of record information at the disposal of His Excellency, and I shall be pleased to call on him at his convenience; further, it is my wish to be of as little trouble as possible, but I wish the Governor to be acquainted with the facts of this matter.

Thanking you for your communication, I remain,

Yours very respectfully,

JOHN T. HICKS.

After writing that letter, I was in a reminiscent mood; in fact I needed a bit of old Vermont to put me in touch with the real side of life. I felt like calling a tree a tree, and not being obliged to purr the kitten instead of the cat.

There's no telling how deep the root of a tree runs until you try to pull it over, The guns of the lawyer brigade had pierced my pickets, that's a fact, and the graves had opened their yawning mouths at my very feet, yet I was upright as one of the old trees near Readsboro wheron the hand of time registered more years than can be counted. Therefore, it is not strange that my thoughts wandered to the old days, when happy in my ignorance of the world, I swapped all sorts and conditions of things from a litter of pigs to the best whistler of a white mare ever owned this side of Marshall Peter's gate to the land of imagined perpetual sunshine.

I wonder if lawyers ever hibernate in that land of bliss? If they do, I do not wonder at the gates being Petered outside.

But enough of the limbs of sheep-skin. Now for a tale of woe, which, if it has a point bearing on this case, may not be out of place.

With a friend to aid me in driving the purchases, I went on a sheep buying trip (when I was a lad of course,) among the villages within a reasonable distance of my own home. What was then a reasonable dis-

tance might be to me now an impossible distance; that is, on foot. Never mind that, even Moses got heavy of foot with the passing of time.

We had varied experience in finding no-good lambs and sheep at bargain prices, and too-good animals at prohibitive prices. But we found a lot of market priced fun all along the line.

By and by I struck a trade for a considerable flock of young ones, together with an old sheep which had the heaviest fleece I had ever seen. A bargain was concluded. My good money paid into the man's hands, and we, at the edge of a dark evening proceeded to drive the goods towards the road.

That was no slow waltz, you may be sure, for the lambs were just bound to remain in that pasture. However, little by little we got them down into the barn limits and I was begining to figure my profit on the purchase.

I forgot to say the farmer went ahead, leaving my friend and I to do the driving, delightful work it was, over stumps, through tangles of brush and the natural adornments of a mountain-side pasture.

I got those critters pointed for a lane running past the barn, and was chasing them up cautiously, when, out from a shed flapped something white and a voice cried, shoo!"

In a moment I gussed what that meant as clearly as I knew, we couldn't catch those lambs again in two

weeks if they got into the woods, which they were sure to do right soon.

Around the barn I went, and caught the farmer's wife running for the house. She was a thrifty one, oh yes, I knew her. She was mother of her son, boss of her husband, educator of the family, and the lot were about as far from being honest as some of our laws in Massachusetts are from being justly and impartially excuted.

"What'd you do that for?" I asked.

"Do what?" she answered fingering with her apron a white one, by the way.

"What'd you scare those sheep for?" I continued, with rising wrath.

"Didn't," she snapped.

The farmer came along just then, and we held, for a brief space, one of those neighborly conversation bees which would discount a windmill's clatter, and a graphophone's record of words.

I am of the opinion that my hair "riz" then, also that there was a tap-hole open near the spot through which echoes from Satan's grammar class reached us. The old woman joined in the fight with Eve-like grace, force and speed. 'Twas a warm spot, simply because they had my money and the sheep were in the woods.

Well, that time, Tyler won. I got back my money, five dollars for my trouble and two cosset lambs, together with the last fleece sheered from that big sheep, as trophies of victory over the pirates.

Feeling fairly bumptious, my friend and I got under way, tramped along with our burden of lambs and wool through the darkness, and, after a hard journey over rough roads, finally reached a house, where, after some bantering, we arranged to be "put up" for the balance of the night. We barned the lambs, rolled the fleece up, placed it in what we considered security, in an unused manger, and then, after a hearty lunch on such food as Vermonters, hungry ones especially, delight in, turned in for sleep.

With morning came a discovery. (I think my friend certified to the fact by an oath, but of course I wouldn't swear to it.) The lambs and the fleece had disappeared.

"Who's done it?" asked my friend.

"That woman, of course; the one who shook the the apron," I answered, also swearing to the fact.

"Sure of it?" demanded Goodell.

"Prove it; follow the trail," I answered.

"Come on," replied my friend.

We went on; traced the trail of those lambs back towards the farm from which we got them; in fact, we proved beyond a doubt that those lambs and that fleece had been taken home; but, we did not secure the goods.

Somewhat down at the heel, we went on, homeward bound, through forests, over hills and by mountain side roads, until at the fall of night, we found our-

selves at a gloomy little tavern. Food was article number one in our requisition just then, and food we got. But what was that food? Ha, ha! it was filling, sure enough. Dried apple pies was the only food product in that tavern. Think of such a meal for two hungry boys.

That wasn't the garden of Eden, but we ate the apples, and but for exposing the pie weakness of my friend, now the Hon Tyler D. Goodell of Readsboro, Vt., I would tell how many pies he there consumed.

Well, recalling that story set me thinking about my court cases, and other matters connected with them, and thus I thought, until, wearied by waiting for that voice from the State House, which I had hoped would speak words of comfort to me, as well as give me wise advice, I wrote :

Aug. 26, 1903.

To His Excellency, JOHN L. BATES,
Governor of Massachusetts.

My Dear Sir:—Some six months ago I received a communication signed by your private secretary, and stating that he had been instructed by you to state that a communication you had received from me would receive "due consideration." I am now wondering as to the official meaning of the words "due consideration," especially when applied to a voter and small tax-payer

seeking protection from those he believes to be of the worst element of hypocrites, blackmailers and thieves. Is the above plain enough?

Remember, I did not seek a promise from you before election; the papers state, however, that you made promises.

At the time you were preparing your inaugural address, I made plain to you the treatment I had been subjected to because I would not allow heat betting at Combination Park, or settle with blackmailers. The late Edwin Morse used the word "squaring" and stated to me that the money was given to the Watch and Ward Society through a third party, and further, that if I did not settle the track would be closed for racing purposes. Mr. Morse's statement has proven to be absolutely true. Will some good person please explain?

When calling on you by appointment, you will remember I left a number of papers, among them four catalogues, all of which explain themselves, also that I suggested your calling attention, in your inaugural address, to the conditions governing the race tracks in Massachusetts, making the point that they were all taxable property, and entitled, one and all to the same protection, and that it was your wish that all the laws should be liberal and be controlled by the proper authorities, and deal honorably with all.

The manipulators will try to make the public believe it is a local matter in Medford, which is not

true. I need only to ask you if the law against pool selling is not a State law—not a local law—and also to call your attention to the fact that I was not selling pools, but that I was doing what was not then and is not now known to be against the law.

I also suggested that you investigate the court records and facts, believing that you could call the attention of the Legislature to the urgent need of a simple law, a plain law, to be conspicuously placed in each court room for the protection of the public when being sold out during court proceedings with no privilege left to them to speak in self-protection. You ask all the voters, in advance of election, to stand by the good old Commonwealth and vote the Bates ticket, Is that the only privilege a voter is entitled to?

I am a Republican, but believe it time to stop voting for hypocrites and cheap politicians.

Business and labor interests need protection which must be worked out by wise heads in an honorable manner.

Very Respectfully yours,

JOHN T. HICKS.

29 Royal St.,
Medford. Mass.

After writing that letter my thoughts again wondered back to the old home, up among the foot hills of those mountains whose shadows hang like curtains

between a world of discordant strife and their own, verdure framed homes of restful peace. I thought of what Mother has done for us, of what my Mother did for me—gentle Mother—strong and true Mother.

At the commencement of the strife between North and South, she was in full sympathy with the North, and ordered her oldest daughter to make a flag out of white cotton cloth combined with red and blue flannel. That flag was nailed to a broom handle and fastened to the ridge-pole of our house.

Some of our neighbors who were in sympathy with the South, trespassed on our property, climbed to our roof and tore that flag in many pieces which they flung in the dirt.

Mother quietly said, "They are good neighbors, mean well, but don't happen to think as we do about the war. Make a new flag and nail it where the old one was. There it shall stay!"

That settled the matter. The flag did stay on our house until the wind and weather wore it out.

Perhaps, yes, no doubt I would have been a better man and consequently a better citizen had I followed my mother as closely in all things as I did in that flag spirit. In any event, I'll cling to the name she gave me; I won't be William Tall; therefore, after waiting guidance from the Father of the Commonwealth, I wrote:—

Boston, Oct. 28, 1903.

His Excellency, JOHN L. BATES,
Governor of Massachusetts.

My dear Sir:— When writing the enclosed statement it was my purpose to give the same to the press. After careful thought I decided rather to mail a copy to both the Republican and Democratic candidates for governor, and later, in view of the conversation and correspondence I have had with yourself, to mail a copy to you only.

No person outside of my private office has seen or will see the enclosed until a reasonable time for reply has elapsed. I have business interests I must protect.

Yours very respectfully,

JOHN T. HICKS,

This is a copy of the statement sent with the foregoing letter. On second thought, I will put that statement in the next chapter and close this with a roundelay. The Jacobite on Tower Hill, a popular subject for declamatory juveniles in the old days at Readsboro. I never essayed it, but, while hiding behind trees within ear-shot of the old school house, I have heard the boys roar it out in true Ciceronian style. Perhaps there is a thought in it harmonizing with what is to follow it. Here it goes:—



Miranda Hicks

" He tripped up the steps with a bow and a smile,
Offering snuff to the chaplain the while,
A rose at his button-hole that afternoon —
'Twas the tenth of the month, and the month it was June.

" Then shrugging his shoulders he looked at the man,
With the mask and the axe, and a murmuring ran
Through the crowd, who below, were all pushing to see
The gaoler kneel down, and receiving his fee.

" He look'd at the mob, as they roar'd, with a stare,
And took snuff again with cynical air,
' I'm happy to give but a moment's delight
To the flower of my country agog for a sight.'

" Then he look'd at the block, and with scented cravat,
Dusted room for his neck, gaily doffing his hat,
Kissed his hand to a lady, bent low to the crowd,
Then smiling, turned round to the headsman and bowed.

" ' God save King James ! ' he cried, bravely and shrill,
And the cry reached the houses at foot of the hill.
' My friend with the axe, a votre service,' he said,
And ran his white thumb 'long the edge of the blade.

" When the multitude hissed he stood firm as a rock ;
Then kneeling, laid down his gay head on the block,
He kiss'd a white rose, in a moment 'twas red
With the life of the bravest of any that bled."

CHAPTER VI.

INFORMATION WANTED.

Experience has been my only teacher, and necessity has been the power behind the issues.

Has a voter the same right to ask questions of those soliciting his support as one candidate has to ask them of another?

Which would produce the best results; to continue the present policy pursued by politicians, lobbyists and manipulators in playing with the people and their money or to reverse the conditions and allow the people to protect their business and financial interests, and for a while play the game with those who have been playing with them?

The political storm now raging furnishes an abundance of proof to voters as to the ins and outs of our present Government. Those wishing to get in out of the storm force the issues; those that are now in, and enjoying comfort and warmth, do not care to get out in the cold and wet, and for that reason claim it is their old homestead.

Two brothers of the Massachusetts Bar Association aspire to take control of and rock the cradle which has previously been rocked by many monuments of

honor, some of whose names are so deeply engraved on the hearts of the people that they cannot be erased.

What at least one voter would like to know is, which of these two brothers, if elected, will rock out the most liberty for the people, and all of the people, regardless of whether they landed here in the Mayflower, by rail, by water, or on foot?

The best time to get information is in advance of election, when one candidate is questioning the business ability and integrity of the other. The voter does not ask for private information, but would like to know if the candidate elected will, should occasion require it, investigate a questionable transaction, in the interest of good government, against a brother, while acting for a client praying for justice before a court of law, always however, paying his money before praying.

Will the one elected go a step further in the same line and investigate a questionable decision of the courts because the judges of the courts are his appointees?

Has not the Governor the same right to investigate his appointees as has the President of the United States, when acting for the people?

As a voter, I would like to know on what ticket the officers of the Watch and Ward Society are elected?

If they aren't elected, do they receive their appointments from the Governor, or are they practically

the same as the lobbyists, working between the people and the law for graft ?

Perhaps this Watch and Ward Society is of pre-historic, Mosaic, or some other origin. Who knows ?

I would like to be present in the Supreme Court should the officers of this Watch and Ward Society have the affrontery to appear there with a citizen voter and taxpayer, whom they had arrested knowingly under the fictitious name of William Tall, for what was not known to be against the law. I fully believe they would receive their just dues. They are evidently of the same mind, for with my case they did not wish to be nearer the Supreme Court than Cambridge, notwithstanding the fact that they had succeeded in having me fined twenty-four hundred dollars in a local court ; they dropped the case out of court without its having cost me one cent. Had they gone farther, they would have exposed themselves.

This case is one more illustration that the Supreme Court is side-tracked from the people.

“ The truth, the whole truth, and nothing but the truth ! ”

The manipulators do their work between the people, the truth and the Supreme Court, relying upon the fact that the Supreme Court can deal only with the decisions and reports reaching them from the lower courts.

The Supreme Court is anxious to render a decision in accordance with the merits of the case, as between the contesting parties, yet they are, without doubt, for want of knowledge of the conditions, obliged to render a decision such as they would not render under any consideration, were they knowing to the actual facts.

Why not remove the fences now existing between the people, the truth and the Supreme Court.

Will the candidate elected favor one simple law, of which a copy shall be hung in all court rooms in the interests of good government, whereby a person paying and praying for justice, may, when satisfied his interests have been betrayed by his attorneys, state the fact to the court, then and there, while his case is in progress, and not subject himself to contempt of court?

Credit where it belongs! To my mind, if all the judges of the lower courts were of the capacity of Judge Braley of the Supreme Court, there would be less need of that body. While acting in the lower court he would detect information that would not otherwise reach the higher court. There is no position where natural detective ability is more needed.

It matters not how capable a judge sitting alone may be. One case at a time is all he should be asked to consider, and he should pass judgment on that case before taking another.

Decisions rendered many months after a case is heard will not much longer be in keeping with up-

to-date ideas; especially decisions where a defendant receives notice of the same, days in advance of the plaintiff, and prior to filing the decree, nor will the people calmly permit a commissioner of evidence to withhold a copy of the same from the plaintiff in the case seventy-five days after the decree is filed.

Should extra expense be incurred through acquiring additional judges, those paying the bills and praying for justice can well afford to pay the extra expense, rather than be strangled by delay.

If the Supreme Court could deal direct with the people and the truth, there would not be one case in court where there are now many hundreds.

I do not think there is any danger of all the voters having too much confidence in those household names, Hon. Geo. F. Hoar, and Hon. John D. Long, excepting, these two worthy statesmen are away from home so much, they may be deceived as to what is in the cradle and they may be misinformed as to what the politicians and lobbyists have placed there, and wish them to rock. I believe, if it were possible to do away with the Legislature, and let these two friends of the people act with the Supreme Court for all of the people of this Commonwealth, that inside of two years other states would be copying our home government, and the manipulators would be looking for work, and churches and dinner pails would be filled to overflowing.

To those reading this article who are in doubt as to the existence of such conditions in this State as

would furnish reasons for the questions or points indicated, the writer wishes to state that he will in a short time publish copies of court records, and re-produce letters from those in authority who should at least be responsible in protecting their own names, if not responsible to the people from whom they draw their salary.

Ex-Governor Black recently said: "It is a wise man who knows how to select a good attorney."

It would seem that all of the people acting together, could. Many good selections have been made in the past. Let us hope they will continue.

Remarks recently made at a banquet of the Massachusetts Bar Association by Chief Justice Holmes, Judge Braley, the Hon. Solomon Lincoln and others, in which they advised their brothers at the bar, of the danger of trying to get rich too quickly, were in keeping with the well established characters of the speakers, as well as the interests of good government for the people.

All the voters know there are many able and conscientious members in both branches of the Legislature but at present they are powerless, as their own words indicate.

Good Government Clubs in all the cities should help conscientious members of the Legislature to control those now controlling them.

Will the voters some day wake up to the fact, that the only government we possess in the Grand Old Commonwealth to-day, is just what the Massachusetts

Bar Association see fit to give us, and realize that they provide no blank forms for the people on which to enter complaints?

JOHN T. HICKS.

While awaiting the Governor's reply, I will apologize for some estimates of lawyer's methods, by saying the glorious uncertainty of the law is so well known that it is really astonishing that any one should be found to play at so hazardous a game. Game it is, and a game of hazards too. A man may have the most righteous cause, and yet lose it. Ingenious counsel, like dogmatic preachers, can make black white, by intimidating witnesses, and with a lot of cut and dried eloquence, they have the power of making foul of fair, and fair of foul, and are considered very eminent in their profession for so doing.

Ah! here's the post, and, yes, — good enough — good for the Governor; a letter from the Father of the State. But, ah me! faded is the vision of a Puritan standing fearlessly out and asking reforms for the people — genuine reforms — not party platform reforms; gone is the picture of an intrepid defender of the people's rights, the champion of justice. The letter is dated two days *after* election.

Wisdom! Ha! Ha! Wisdom wears no more tawdry cloak than that of political expediency. Here's the letter.



Commonwealth of Massachusetts.
Executive Department.
Boston.

Boston, Nov. 5, 1903.

John F. Hicks, Esq.

#29 Royall St.

Medford, Mass.

Dear Sir

Your favor of the 28th ult. duly received.

As I remember your matter you think that the courts have not done you justice, and desire that I interfere. That, of course is impossible for me. The Executive Department is by the Constitution, so separated from the Judicial Department, that I can do nothing for you. Your appeal should be made to the courts.

Yours very truly

John L. Pierce

That letter from the Governor did not reveal to me a new phase of human life, but proved a problem I have worked out by experience. My own words may not be sufficient to prove the answer to this problem in a manner comprehensive to politicians, therefore I will quote from Voltaire :—

“ Each man a guiding spirit has, they say,
Whose province 'tis to give him strength and light,
Throughout life's dark and ever devious way;
And though this Spirit may be hid from sight,
He will, his presence, often times betray.
And they who search have made midst old and curious things,
Will recollect that times existed when
Good Genii lived and even talked with men;
And were kind friends, especially to *kings*.”

I had hoped the Governor's love for the people would bid him open the door at which his good spirit was knocking— Ah! those good, dear people for whose votes he eloquently pleads!

A HOMILY WIHOUT TEXT.

There comes a time in every man's life when he must “blow his own horn,” first to save himself from oblivion in the great, whirling, humanly selfish world, and second, in order that he may make known to the world ideas gleaned from his experiences, which it is

his duty to record as a part of the human record of life. The latter might be wisely classed as entitled to first place, yet, as man must first identify himself before his works can be classed, the former is the logical first part of the epigram.

Since much of my financial troubles centering around Combination Park resulted from a difference of opinion between myself and other parties interested in horse racing, concerning classes for wagering money on the sport, it is at this time fitting that I should place facts touching the question before the public in a permanent record.

Heat betting on harness race tracks makes it possible for a horse to get first money in the race and yet finish away back at the flag two or more times, when he is a favorite, and still win the main race.

Any manager or steward unfamiliar with this fact, should only be allowed to brush the track, instead of controlling heat betting and thus knowingly wrong those who pay admission at the gates.

To my mind, if this one feature was stopped, confidence would at once be restored, and we would not see the gate receipts down to three hundred dollars per day when the best horses were up, as happened at a grand circuit meeting in Boston on a perfect racing day.

The following letters explain themselves.

Medford, Mass., Aug. 24, 1897.

MR. J. S. LOCKWOOD,
Secty. of Watch and Ward Society,
146 Franklin St.,
Boston, Mass.

Dear Sir:—Your favor of the 23rd received and contents noted. I hasten to answer the same. The person who furnished you the information that A. T. Hicks or any of the Hicks family are interested in the stopping or selling pool tickets at Readville or Saugus has no right to make any such statement, as we are not only in favor of their selling, but wish to sell ourselves at Combination and Granite State Parks ; that is, to sell tickets on the result of the race, which we believe is as harmless in every way as the selling of chances at church fairs ; and I will go further and say much more harmless, if there is any harm, as minors are not allowed in the horsemen's headquarters. Both of the above are much more harmless than selling tickets in the stock exchange.

We do not hesitate to say we are decidedly opposed to bookmakers selling on heats, and informed them last winter that no more selling on heats would be allowed at Combination Park, and this was the reason of the first start of bookmakers and some horsemen,

starting in at Medford, getting the Rev. Mr. Pearson and the Rev. Mr. Barstow to assist them in their work, and stop betting and taking chances in every form inside the gates of Mystic and Combination Parks.

As we have repeatedly said since we were ordered to close our gates or stop taking chances in any form, that if there was a tidal wave coming over the country, the stock exchange was to be closed, families and friends were to be stopped playing whist for prizes for which money had been exchanged, and chances of every kind were to be stopped at church fairs, we would have no cause to complain ; but to be singled out when making an honest effort to elevate the sport, after building admittedly the finest place in the world, furnishing the highest class races and special attractions and music at all the races, we think it extremely hard and ungrateful.

We have every reason to believe his Honor the Mayor and every member of that committee of twenty, as well as all the good citizens, will at once change their minds if we are allowed to run one meeting according to our plans and ideas ; and if they will accept free invitations from us, and bring their families with them, and see for themselves what they are talking about, instead of getting their information from evil-minded people who have a motive in view. I submit for your careful consideration if it is fair or just for Christian people to be interested in starting a raid against others

for doing precisely what they are doing themselves. If they honestly believe in their work let them commence a reform at home and then people will believe they are honest.

The great enterprise shown in years past by breeders in New England, J. Malcom Forbes, the Thayers, Col. H. E. Russell, Russell Allen, James Sanborn, the Hon. Frank Jones and many prominent breeders should receive every support from every fair-minded citizen.

Remember, no city can grow when run wholly by fanatics—those who wish to sign their names “a citizen,” instead of their full names, or dictate letters for mothers to sign.

I have dictated this letter hurriedly, as I wish you to receive it at once. I will enclose you a poster we are sending out for our meeting next week at Granite State Park. Should be pleased to send you a complimentary, if you will be pleased to receive the same.

Most sincerely yours,

COMBINATION PARK ASSOCIATION.

(Dictated) by JOHN T. HICKS.

(The letters received from Lockwood were sent to C. E. Jewett with a copy of the above, but have not yet been returned.)

Boston, Sept. 3, 1901.

MR. C. E. JEWETT,
Sec'y. N. E. Breeders Ass'n.,
Readville, Mass.

Dear Sir :— Some time ago you will remember receiving from me a letter which I received from Lockwood, the secretary of the Watch and Ward Society, with my reply to the same. I sent you the two letters by Mr. Frank Hall, treasurer of your association. A few days later Colonel Thayer, your president, and Mr. John Graham thanked me at Readville for the way I treated your association by sending them the correspondence referred to. They said it was a very gentlemanly act, and in the future all the tracks must work together.

Will you please return the same to me at once and greatly oblige,

Respectfully yours,

JOHN T. HICKS.

The National Trotting Association Board of appeals. Copies of Letters sent them and Reply from President P. P. Johnston which makes plain they were received.

New York, N. Y., Dec. 6, 1899.

Gentlemen :— The first year at Combination Park, at the close of the opening meeting, in a settlement with the late Edward Morse for percentage on the betting privilege, he deducted on his statement, which I now have, \$250, and marked it "squaring." I asked him what that meant, and he said, "You know there is an old law against pool selling, and this money is to go to the Watch and Ward Society." I asked him if he paid it to them direct, and he said he did not, he sent it to them through a second party. I replied I had too much respect for religion to buy the privilege to do wrong from a Christian organization, and I would not settle. He advised me to think it over, saying I would make trouble for all the other tracks. I talked it over with my son and brother, and the next day we decided to settle. During the season, I think we gave about \$1,400 for this purpose; the first season we allowed bookmaking.

During the winter I learned that a prominent trainer had 15 to 20 per cent of the profit. I could not understand why a trainer should be interested with a

firm of that kind, so I commenced to make inquiries as to what his duties were. As soon as I satisfied myself on this point, knowing that this trainer did not come to Combination Park at any of the races, I commenced to get information in regard to Combination Park, and I soon ascertained the names of two drivers who were doing the same business at our park as I had been informed this trainer was doing at others. I then had a talk with my son and brother, and we decided there should be no more heat betting at Combination Park. In the early winter we notified the bookmakers of our decision. I also notified those in charge of the betting privileges of the East, I would do no more settling as above indicated. In reply I was notified that unless I continued to settle and allow bookmaking at Combination Park they would stop our doing business in any form. I replied, "All right, go ahead." Two or three weeks later, in the middle of the winter, the question was raised as to betting at Combination and Mystic Parks. One of the ministers in his discourse claimed he got his information from a prominent horseman, but he has always refused to give the name of the horseman furnishing the information; we have reason to believe, however, that this person was a director in one of the associations of the East. The two parks, Combination and Mystic, have practically done no business since this date. I believe it was not intended to interfere with Mystic, but the fact that both parks were in Med-

ford prevented Mystic from doing business. No other tracks in the State have stopped business and do all the betting they wish, both auction pools and bookmaking, and so far as I know none of them have made any money, and I do not believe they ever will as long as they allow heat betting.

At Combination we started a form of selling photographs. To explain the same I have sheets with me. I sold them myself, as I was fully satisfied there was no chance for deception and the result would be to have honest contests. I was arrested twice, under fictitious names which I refused to answer to, and was fined in all \$2400. I would not settle.

When the case was finally called for trial I had ordered my attorneys to summon the chief of police, the mayor and two ministers in Medford, some of the bookmakers and prominent horsemen interested in other associations, and was anxious, to protect myself, to have the case tried.

My attorneys informed me if this case was tried as I wished to have it, it would take six days, and there would be no more betting in Massachusetts in any form. I told them I would be sorry to be responsible for that, as I could see no harm in auction pools, if sold as they should be; every horse that starts listed and each horse sold separate in every pool; if a horse did not bring more than one cent, sell him at that price,

and give the buyer that ticket; but under no circumstances allow a field to be sold against a favorite.

The suggestion was made to me, if I would make a plea of *nolo*, all of the cases against me would be thrown out of Court, and that there would be about \$200 of costs to be paid by some one, and my attorneys understood that arrangements had been made whereby other track managers would pay the expense. The cases were disposed of in this way. In our effort to do business in some form at Combination at our June meeting in 1898, just in advance of our entries closing, a combination was formed by bookmakers, pool sellers and track managers to secretly advertise a meeting at Rigby, on our dates, and twice as many horses went from the breeder's track alone to Rigby as raced at Combination. They obliged us to lose about \$2000, and the Combination lost more than that at Rigby.

We had assisted Hon. Frank Jones for two seasons in conducting meetings at Granite State Park without bookmaking, and each meeting had improved in public favor, and at the July meeting they had the finest entry that had been published in the East. At that meeting a combination was formed to crowd Hicks, if possible, out of the business, as he did not believe in heat betting, and strange as it may seem, with all the horses that had competed for the July meeting, and those that were racing at Rigby and Old Orchard the next two weeks were right there so near the place,

many of the classes did not fill at the August meeting at Dover, and the meeting was declared off. From that day I severed my connection with Granite State Park.

It would seem that from reading items in the different daily papers from prominent breeders and gentlemen who believe in honest sport on heat betting, your board would soon decide to take some action on this very important question, and I believe if the law is passed in any form, your board must take some decided action on this very important question, and say what may be allowed, and what shall not, on association tracks; and I am sure that if straight auction pools, where each horse is sold separate, at no time selling fields against favorites (or in any event as many as three choices must be sold), should be the form decided on by your board, it would meet with hearty approval from the most prominent breeders and every straight driver.

Show to the legislatures of different states that your association has started a reform to elevate the sport and give the different states an excuse for passing a law to assist your association in carrying out your ideas; this would surely find hearty approval from the most prominent breeders, straight drivers and the public who are interested in seeing honest contests.

I have kept still, making no statements, for the past two years, and at last have decided I would make

this statement of facts, as I understood them, to your board, hoping you would take some decided action and assist associations in getting some of their receipts from the gates instead of getting it from bookmakers. I am pleased to say that at Combination Park last season we succeeded in making racing by electric lights, without betting in any form, a success, regardless of all the elements we had to contend with.

JOHN T. HICKS.

New York, N. Y., Dec. 8, 1899.

Gentlemen :— Since my private interview with your board yesterday, when I offered you a roughly sketched memorandum of facts, also the fact that I stated to your board I would, if you wished, make a complete statement, or was then prepared to answer any questions, and I am still in doubt, I have decided to ask you the following questions :

First. If you are opposed to the laying up of heats, why do you not remove from all tracks the practice which pays for laying up heats, and stop book-making.

Second. If a person or persons conducting a track belonging to or managed under your rules, can furnish to your board the most positive proof that other track managers and bookmakers who control betting privileges conspire together to blackmail and injure another

association to prevent them from carrying out an honest effort to elevate the turf, what would be the reply made by your board?

Third. I should be pleased, and I know many others who would be pleased to know the reason why, when the witnesses were testifying in regard to the Gillis, Hitchings, and Saugus track cases, when one of the witnesses was being questioned by your board, and you asked him whom he was approached by, in advance of the race, to enter into a certain agreement, when he gave your board the name of a prominent driver and a prominent pool buyer—why did this evidence stop at this point, and why did not your board continue to get evidence and punish all the guilty parties, as well as to punish Mr. Gillis, who had been imposed upon by others?

Fourth. When I offered you information I had in regard to certain drivers taking part in bookmaking and betting on heats, why were you not interested for further proof of this statement of facts?

Fifth. I would like to ask the honorable member of your board, Mr. Palmer, if he made a statement in the presence of four gentlemen, about the last meeting, or the last he attended at Combination Park, that the Hicks family had done more to elevate the turf than all the other associations in the East?

Sixth. As I understand there are two classes known as ringers, one class is a man and a horse at-

tempting to race in slower time than their record. The other is a class of men combining together to control the betting privileges on tracks and decide the rate of speed each horse in a race shall go—whether the time shall be faster or slower than the record in his class or out of his class—and they also name the heats each horse shall win or lose. In the opinion of your board, which of these two classes of ringers does the most harm?

I would be pleased to ask more questions, but think I will wait and see if I get a reply to these I have asked.

I did not reply to Mr. Palmer at the time I was saying there was plenty of dates for all the tracks in the East, when he asked me the question if I meant to include Nashua, N. H., as the remark itself explained to me that reports I had heard were true.

I do not care for newspaper notoriety, and fully realize that every turf scandal exposed is an injury to the business; this was my reason for privately ascertaining from your board if it was your intention to in any way attempt to remedy certain evils I have indicated. I have not mentioned to any person outside my private office the nature of my business with your board, and I do not intend to do so for at least a few days, or within the time I could reasonably expect a reply to this letter.

Thanking your board very much for past favors, trusting you will thoroughly understand me and acting wholly to assist in elevating the turf, and hoping you will reply to this letter, I remain,

Very truly yours,

JOHN T. HICKS.

To MAJOR JOHNSTON, Pres. National Trotting Ass'n.,

December 16, 1899.

Mr. P. P. JOHNSTON,
Pres. National Trotting Ass'n.,
Lexington, Kentucky.

Dear Sir :—In accordance with my letter to you I send you a few suggestions which have been hurriedly drawn, no corrections made, and I have not referred to or looked at a book of the National Rules for a long time.

After giving the matter more thought, I am really sorry I called on your board for that private interview, sa the manner in which the business is controlled to-day and managed by different associations is very distasteful to me.

I believe some decided action must soon be taken by your board in the interests of honest contests, or the wheels will soon stop turning on the trotting tracks.

After Rigby Park took part with certain pool sellers and bookmakers with other track managers to assist them to break up, if possible, the meeting at Combination Park, some of the persons who were interested in that scheme ran away with the pool box, and from the New England Fair, at that.

At a race meeting following the transactions at Rigby, a gentleman from Boston was down there and returned to Boston on the second day of the meeting, saying it was so lonesome he could not remain there, and that between the heats he could get along very well, but as soon as the drivers were seated in there sulkys there was no one on the grounds to talk with.

Thanking you very much for past favors, I remain,

Respectfully yours,

JOHN T. HICKS.

(Dictated)

DISSERTATION WITH TEXT.

I will withhold the names of those good old friends of mine who were the characters from whom I draw an illustration just here while fitting a peg in the watch man's clock ; that is, while making plain to the steward of life's great track that I have travelled.

One of our very thrifty Vermont neighbors had an only son and child who, at an early age showed, as his

parents believed, great aptitude for study, and promise of being a remarkable scholar.

The boy was, in truth, one of those lazy, loquacious, wise chaps who are ever ready for good things at another's cost. He glided through the district schools, grew over the academy, and in a miraculous way, aided by his father's "influence with the board," blossomed into a "college man."

How proud that father was of the son, who with an outward show of obedience, was "sojering" on his parents to the limit. He was "a farmer of science, sartin sure. Hadn't he studied agriculture with the professors? Talk about scholars. Gum an, black-strap, that ere boy knows more now than any one of the men who printed his books. Sure, he does, and he's way up on phrenology of animals too." Thus the good father blew his boy at the "store," on the road and at church.

During the summer vacation of his junior year at Dartmouth, the "great scholar," was home assisting at haying.

One day when much hay was down, a shower made up and the farmer sent the student to the pasture adjoining the field for an extra yoke of cattle, saying, "Get them into gear in a jiffay! Put them in a big rack, and hurry!"

Hustling at his best gait at "cocking up," the old man paid no attention to his son until he heard a com-

motion at the bars. Then, still pitching away for "dear life," he called, "What's up? Say, get alive, will you!"

"One of the animals refuses to receive the yoke!" called back the boy with unexcelled enunciations.

"Drat him! brad him! hurry up!" exclaimed the father, running to the bars, where the son was chasing one animal, while another stood with yoke on neck.

"Gee whiz!" that's what the farmer said first. "You blankity blanked lunkhead! You—oh, you fool! You're trying to yoke a cow with an ox! Go to Hellen Gone's with your books. Not another copper of my monney goes into your squash head!" he concluded, actually prodding his heir with the brad.

Perhaps I'm equally ignorant of the inside of a ringers' game. If I am, Brother Pierson didn't brad me and Brother Barstow didn't blankety blank me.

Now we will dissertate; I learned that word from Davies, the great watcher and warder.

New York, N. Y., Jan. 27, 1900.

Dear sir:— This morning I have been reading an article published in the "American Horse Breeder," on heat betting, which practically covers my ideas, and the statements and suggestions I made in my letters to your board. I think the article referred to should be brought before the Turf Congress.

On referring this morning to your letter of December 9th, I note that you advise me to correspond with your secretary. I hope my impression is wrong, but I believe him to be in sympathy with bookmakers. If he is not, and is anxious to see all the rules thoroughly enforced and turf scandals stopped, I am forced to believe him incompetent, otherwise he would have reported to your board many job races that have taken place in the past few years on tracks near his own office. I refer to races which were so barefaced, tainted by deception and fraud, and so wholly controlled by bookmakers as to be common talk with nearly every person on the grounds.

I have recently been amused by reading turf editorials stating that prominent drivers were boycotting the associations because they did not care to enter their horses for purses until they had some reason to believe they had one to start. To me it looks like a business proposition, while the other form looks more like a lottery. By doing this, all of the large associations surely injure all of the smaller ones by monopolizing all of the dates and tying up all of the best stables.

Are all these stewards thoroughly competent, working to harmonize the business and elevate the turf? If so, why would they take part with the bookmakers, pool sellers, and the worst element connected with the business, and secretly advertise that meeting at Rigby Park which was run for no other purpose but

to break up the meeting at Combination Park and punish the Hickses for opposing heat betting? I make this statement with the view of showing your board the importance of protecting the public by forbidding heat betting.

You did not refer in your letter to any rule you have that covers a case like the above, but you suggest I can file a complaint, and if you do not have a rule covering the point, one can be made at the next Congress. I cannot understand how a rule can be made which will cover something that happened a year or more ago. I also notice your omitting to refer or reply to my remark in regard to the evidence in the Gillis case, that all of the guilty parties were not punished. However, that is all right.

As I am not quite sure of attending the next Turf Congress I thought best to now partially review our past correspondence and the suggestions I have offered; all of the latter were very hurriedly drawn.

I know there is a general impression among owners and drivers that their interests are not protected, and they are not in sympathy with the association; also, many of the turf papers believe their interests are not properly cared for.

In regard to suggestions I made in the rules:

No. 1. I believe it is a great satisfaction to owners and to drivers to have entries close in a public room at a

proper hour, that they may know just what entries were received at the time the entries closed.

No. 2. Some short, plain rule or a standard blank form drawn up by your association, and you oblige every member to copy the same form for all entry blanks.

No. 3. In regard to heat betting I have only to add how strange it seems to read editorials in turf papers, and remarks of prominent breeders in which they indicate changing the distance from a hundred yards to eighty will have anything to do with laying up heats where heat betting is allowed, when it is so plain that a competent driver, with a horse that is a good actor and has more speed and endurance than other horses in the race, can win or lose a heat as he likes if the distance was forty yards — the distance flag simply controls a fast horse or a bad actor in the first part of the race — if the distance is eighty yards, and he makes two or three breaks in the first heat, he would be outside the flag, while if it was one hundred yards he might be inside the flag, and then go on and win the race.

No. 4. In regard to declaring a heat no heat, when it will prevent fraud. To me it seems a most ridiculous proposition to take that power from the judges on the deciding heat — the heat which decides a very large percentage of the money pending. The whole thing rests on the judges making their decision on the

impression they may have, without testing the actual fact to satisfy themselves and the public that the horse in the race that did not win that last heat was capable, then and there, of so doing.

It does not appear to me that any competent judge can afford to assume the responsibility of stepping into the judge's stand while that rule remains as it now stands on your books. Oh, no!

No. 6. I believe it of the greatest importance that your board make plain to drivers that you are their friends, and not their enemies. I believe it is of the greatest importance that your board stand to the drivers as do teachers to pupils, and as do those teachers who produce the best results, you should be firm while being friendly. If the money received by the National Association is not now sufficient to pay their bills, let the membership fee be doubled, but let all fines imposed on drivers be paid back to the treasurer of a benevolent society of their own. This idea put in force will assist every association in enforcing the rules, and they could easier collect fines, because the offender would know the money was returning to a worthy object.

My impression that the National Trotting Association is a money-making organization may be poorly founded. I hope it is, and that is truly in the line of charity; that its members, retired men of business, are working only for the worthy motive of elevating the turf.

Yesterday, while looking through your rules published in 1898, I noticed very many changes in adding words to different rules, and striking out words, which practically leaves them in a confused form which the average person would fail to understand.

It seems advisable that your book for the coming season be so worded that each rule will be easily understood.

I trust that you will believe that in the manner in which I have treated this matter with your board, I have only one motive in view— to assist your board in harmonizing the differing elements connected with, and elevating the turf.

With best wishes, I remain,

Very truly yours,

JOHN T. HICKS.

To P. P. JOHNSON, Esq.,

Hartford, Conn., Dec. 9, 1899.

MR. JOHN T. HICKS,

♦ 1358 Broadway, N. Y.

Dear Sir:—In all cases wherein the rules have been violated, we will be glad to have the guilty parties brought before the board. The secretary will bring cases against them in the usual way when the informa-

tion authorizes specific charges that can be proven.

If there are criminal practices incompatible with trotting interests that are not penalized by existing laws, the Congress to be held in February next will be competent to pass others, to meet such cases.

We will be glad if you will co-operate with our secretary to bring the offenders you complain of to trial, and we hope you will attend the approaching Congress, and propose such further legislation as you may think necessary.

We will be ready to investigate the charges, and co-operate to aid in the enactment of all needful legislation.

Yours very truly,

P. P. JOHNSTON.

To show how strongly the mile-track circuit was organized, especially after the last July meeting at Dover, I need only relate the following.

As I was the one who leased the park to the Elks for their fair, they allowed me to have their artist put this sign in the infield: "Combination Park has many world's records which have not been published."

Duntley, the "Herald" artist, asked, "Hicks, what does that mean?"

When hearing my reply he said, "I thought that was what you meant," and he added, "Hicks, you are all right."

Allen Lowe smiled, and said, "That's all right, put it up."

Trott and Ryan looked at each other and smiled, but did not speak.

What more could I expect?

I have just commenced publishing the world's records that have never been published, and hope to get them registered somewhere to make them comply with the National Rules.

After all the foregoing red tape dryness of details, I am absolutely in duty bound to offer the patiently-suffering reader the apology that the same has been printed for his benefit in common with all men who love honest sport, and that's all men worthy to be classed among living, helpful, progressive, Christian men.

A chap out in Medford said a bit of kind word for me at the time when the Church folks were playing polo on my neck. Knowing that horsemen are so much human as to appreciate kind words more than they do kicks, I will now quote from the Medford "Light":—"The quashing of the indictment against John T. Hicks, Esq., for pool selling, by Judge Wardwell, in the Supreme Court at East Cambridge, December 17, followed the introduction of evidence which proved conclusively that Mr. Hicks went before His Honor the Mayor of Medford, and the chief of police of Medford, some days before he sold the pictures which the Watch and Ward Society's spy called pools, and

stating to them what he proposed to do, requesting them to hold no one but himself responsible if he erred and further, respectfully asked their opinion as to whether the course he desired to pursue would be an illegal act. Again, after he had one day sold the pictures, he again asked the proper authorities if they saw any illegality in his act.

The authorities of Medford did not advise him to discontinue selling the pictures, and he was not aware of any action against him until he was arrested on a warrant drawn in another man's name, on evidence of a Watch and Ward Society *spy*, and taken from his place of business in the patrol wagon.

What we wish to say is, Mr. John T. Hicks is known to us as a square man, a man all over, a man all the way through, a man who has done more good for Medford than all the Watch and Ward Society *spies* ever have done or ever will do.

We uphold no man or men for breaking a law, but we despise any and all men who (if they are worthy the name of men), set *spies*, or act as *spies*, or uphold *spies*, and we rejoice in the vindication of John T. Hicks, our respected fellow citizen."



John T. Hicks in 1897.

CHAPTER VII.

That November 5th letter would not settle down quietly among the other records stamped on my brain by the stern master Necessity. It buzzed among all the details of my daily business just as I have seen a big green-head fly follow a horse miles beyond its haunts.

Similes will suggest themselves to man, even though he be not fanciful. Yes, from a philosophers view point (I knew one up near Greenfield, Massachusetts,) the less book learning a man has the more he developes illustrating ideas by pictures in words and things.

The spirit of that letter took shape like "Tom of Ten Thousand," of whom old turf men sang:—

"There is hard-riding Dickey
The Lord of Mount Surrey,
Gallants in blue and gold,
Purple and murrey.

There are Jacobites, scores of 'em,
Whigs twice as many ;
But Tom of Ten Thousand is
Gayest of any."

"Oh, but to see him, boys,
In the woods groping,
Then breaking through the bush,
Start for the open.

Over the plough and clay,
Checking so many,
Tom of Ten Thousand is
Slyest of any."

Well, I must answer that letter, because citizens who employ governors must not learn manners from their inferiors; as George Washington said when raising his hat to an old colored man, and as Mr. Roosevelt has so delicately demonstrated by adopting Booker, the bar-sinister, whose last name is now Washington, "How fortunate Americans are to have great men constantly acting as their servants!"

My previous letters had been exhaustive, yet I wrote:—

November 9, 1903.

His Excellency, JOHN L. BATES,
Governor of Massachusetts.
Boston, Mass.

My dear Sir:—On my return from New York, I find your favor of the 5th instant.

Your reply is on the same line as one I received from Ex-Governor Crane, therefore I am still in the dark.

I would think I might be in the wrong but have recently advised with those who should be capable and they assure me my principal points are well taken.

If you care to do so, kindly read my letter to Ex-Governor Crane, published in one of the catalogues I left with you. At the time of this correspondence you

were Lieutenant Governor and have, I presume, access to the Governor's answer.

If it is a fact that the Governor of this Commonwealth has not the authority to at once put a stop to intentional blackmail of citizens, as indicated in my letter to Ex-Governor Crane, and left with you at an interview held in advance of your inaugural address delivery, at which time I made you acquainted with how horsemen understood the pool selling business situation, and that unless you protected yourself they would put you in a hole, which you have later referred to; the sooner the citizens know this fact the sooner they will organize for mutual protection.

If the constitution as now framed prevents the Governor from protecting his people, give the people a chance to start a frame for a new constitution that will protect the Governor in protecting the people.

You will remember that I made plain to you that the Watch and Ward Society would arrest me under a fictitious name and not allow me to do business at my track even in a form not known to be against the law, while other tracks with which they were friendly, had both pool selling and heat betting; further I showed you the first settlement I made with the late Edwin Morse, for the opening meeting at Combination Park, on which appeared the word "squaring," and the amount paid for the same in Mr. Morses' handwriting. What more proof could the Governor wish, and how easy it

was for you to have elevated your office by referring to this blackmail information in your inaugural address, and by so doing washing your own hands, and leaving the sore for the Legislature, composed of both political parties, to cleanse.

All the foregoing refers practically to the pool law, and the way it is controlled.

Pardon me, but your letter of the 5th is proof to my mind that you are dodging the most important issues, which proof is strengthened when reading President Roosevelt's letter which appeared on the editorial page of the Sunday "Herald."

Does not a voter have a right to ask of a candidate for office, who is soliciting votes, if he would investigate questionable transactions of brothers at the bar, or decisions made by their appointees who are trusted with the rights of the people?

In referring to a previous letter received from your Excellency concerning my case in court, you state you find it to be neglect and delay on my part.

If you would investigate, you would prove to your own satisfaction, at least, that there was no delay on my part, and owing to the conspiracy that was practiced, had I not been especially active I would have lost all right of appeal.

The effort I made to get the case appealed, after settling with my attorneys, together with the receipted bills of other attorneys, especially one from Bartlett and

Anderson, together with a letter I had written Mr. Bartlett's partner, referring to the statement he had made to the effect that he would not take a case in which he had got to show up a brother attorney, which Mr. Bartlett's signature acknowledges he had read, when coupled with the correspondence I have had with you would, as you are a member of the Massachusetts Bar Association, seem to me to establish the fact indicated in my last letter to you, "that the good people of this Commonwealth will some day wake up to the fact the only government they possess to-day is just what that Massachusetts Bar Association see fit to provide, and that they furnish no blank forms on which the people may enter complaints," (their secretary so informed me when I called to register a complaint.)

I realize it is a fact that often times in a case which has been decided, the defeated parties cry fraud.

My case was properly handled by Judge Braley, and when it came to the next court it was side-tracked to a committee-room. Before the case was called, as my attorneys refused to use important witnesses, I hurriedly went to the office of E. D. Hale, of Hale and Dickerman, for assistance. I found him at his office, but he was ill and then ready to return home. I asked him if, as the case progressed, I was fully satisfied that my interests were being betrayed by my attorneys, it would answer for me to ask protection from the court, and in the presence of my attorneys offer to

the court proof of my belief, and if, by so doing, I would subject myself to sentence for contempt of court. Mr. Hale advised that to do so would be very dangerous, saying he would rather take his chances and await results.

What is the result? So far as I know, my case now rests with the clerk of the Supreme Court, and has never been heard by that honorable body, which is, as I claim, under present conditions, side-tracked from the people.

After having passed through the above experience, was it proper for me to ask if you would favor one simple law, a law to be hung in each court room for the protection of the people?

I believe I have suffered the limit, and unless you can at once offer me some assistance — you, the Chief Executive of this Commonwealth, and a most prominent republican — I trust I shall not be accused of backsliding when I at once appeal to the public to assist me and by so doing, protect themselves.

Thanking you for all your communications, I remain,

Yours very truly,

JOHN T. HICKS.

After writing that letter I dreamed of gaining, at least, recognition of being a citizen of Massachusetts. I thought, with Phillips Quinault : —



Commonwealth of Massachusetts.
Executive Department.
Boston.

Boston, Nov. 10, 1903.

John T. Hicks, Esq..

429 Royall St.,

Medford, Mass.

Dear Sir:-

Your letter of the ninth instant has been received at this office the absence of His Excellency the Governor on an official journey to Vicksburg Mississippi and will have his careful consideration upon his return.

Yours very truly.

Private Secretary

A handwritten signature in cursive script, reading "Francis Austin".

" There's no resistance howe'er great,
Against which time cannot prevail:
And constant effort, soon or late,
To come off conq'r'r, cannot fail.
The work is great, and small the cost,
Where resolution's never lost.
By beating 'gainst whate'er may stop,
The stream will work an even flow,
The water, falling drop by drop,
The hardest rock, at length will bore."

The answer came — my last word from His Excellency — and is herein reproduced. "God save the Commonwealth of Massachusetts."

Before passing from the Governor's view, I will give a clew to one reference in mine to him dated November 9, 1903, as follows:—

Boston, Sept. 25th, 1902.

MR. CHARLES W. BARTLETT, Attorney,
Globe Building,
Boston, Mass.

My Dear Sir:—Upon my return to my office from New York this morning, my son informed me a collector had called with bill from Bartlett and Anderson.

Some time ago I received a bill of a total amount of one hundred and twenty-five dollars which I could not understand. However, I am prepared to pay your firm any amount your due.

Will you pardon my calling your attention to the fact that when I called on you for advice you turned me over to your partner, Mr. Anderson. I think there was one short interview in your office, and, as I remember, you made a paper that Mr. Edwin Sibley filed.

There would have been no occasion for my owing your firm for anything except for the first call, had Mr. Anderson or you told me on the start what Mr. Anderson did tell me, that your firm did not care to take a case where you would be obliged to show up other attorneys.

I asked Mr. Anderson the square question if it was a fact I could not find an attorney who would take a case in which he had got to implicate other attorneys. Mr. Anderson's reply was, "*I will not.*" This settled it so far as I was concerned with Mr. Anderson.

My last conversation was with him on the 'phone regarding some missing papers which I as yet have not found.

You know the conditions, Bartlett, as well as I do. I called to see *you* by the advice of some of your friends, as I had never had the pleasure of meeting you personally, and I told you this in Mr. Anderson's presence. I came to your office to advise with you, and not with Mr. Anderson. As I remember it, all the conversation I had with you would not exceed one hour.

Now, if it is your wish that I should pay you one

~~Thomas Miller~~ ²⁰⁰¹

Boston, Mass. Sept 23 - 1902

Mr J T Hicks

TO BARTLETT & ANDERSON, Dr.

.. Attorneys at Law ..

Office Building
244 Washington Street

Income
Nos. 37, 38, 39 40, 41.

1903		To Professional Services	
Mich	24	Cong heart for + 1/2 day with self + subby of contracts	50 00
	25	Cons	10 00
	26	cons, exam findings, facts and evidence	10 00
	28	Serv, long cons into getting out your matters with Kravet al, position statement etc	10 00
	26	Cons + adv Bartlett + self	10 00
	29	self + Anderson	3 75
May	1	with Hale + self	20 00
			120 00

Received Payment
Bartlett & Anderson
by Charles W Bartlett

This bill is correct and should be paid, and this is the
conclusion that I have come to after considering your letter
which you wrote in regard to it.

Respectfully,

Chas. W. Bartlett

hundred and twenty-five dollars for any services rendered me in your office kindly send me an itemized bill of your account to show what it is for, and I will settle same.

Yours very respectfully,

JOHN T. HICKS.

When the bill was presented by a clerk from the attorney's office, I said, "I will pay this at once after you bring me word that Mr. Bartlett will attach to it a memorandum acknowledging personally that it is correct, also that he has read my letter to his firm under date of September 25, 1902, and will himself sign not only the bill, but also an acknowledgment that he has read the letter above just referred to."

My requests were complied with, and in proof of same, as well as some facts previously referred to in this book concerning the Massachusetts Bar Association, I reproduce the affidavit from the original.

CHAPTER VIII.

"Without a sword one cannot fight,
Without a pen one cannot write.
He swims the stream, whose limbs are sound,
The cripple flounders and is drowned."

That's about the drift of my thoughts when the Massachusetts Bar Association through its individual

members made plain to me that their attorneys were dutiful to the short comings of their fellows—that they preferred to hide the narrow way leading to clients pockets from the general public. Well, the fight went on, with the results of which the following is a portion.

Brief of John T. Hicks, principal complainant in case in which G. A. Graves is the principal defendant. This brief is issued to whomever it may concern, as the writer, having no knowledge of parliamentary court rules, knows not where it will land. It is occasioned however, by a communication dated December 11, 1902, a copy of which is herewith made.

December 11, 1902.

Mr. JOHN T. HICKS.

Room 23, Parker House,
Boston, Mass.

Dear Sir:—You are hereby notified that in the case of John T. Hicks et al, *vs.* Geo. H. Hicks et al, number 1087 Equity, now pending in the Supreme Court of Suffolk County, we have applied to have a final decree entered therein in accordance with the rescript from the Supreme Judicial Court for the Commonwealth, and Friday, December 19, 1902, at ten o'clock in the forenoon, has been assigned for the hearing thereon in the equity session, first division of said court.

Yours truly.

M. J. CREED.

J. PORTER CROSBY.

I also offer a copy of a letter dated June 9, 1902, signed by the same firm of attorneys (Creed and Crosby.) How am I to know which case is to be dismissed?

June 9, 1902.

MR. ARTHUR T. HICKS,
Room 23, Parker House,
Boston, Mass.

Dear Sir:—Please take notice that in the Equity suit of John T. Hicks, et al, *vs.* Geo. A. Graves, et al, number 1087 Equity, now pending in the Superior Court of Suffolk County, we shall make a motion to dismiss appeal in the Equity session, first division of said court, Monday, June 16, A. D. 1902, at ten o'clock in the forenoon, a copy of the proposed motion being herewith enclosed.

Yours very truly,

M. J. CREED.
J. PORTER CROSBY.

Boston, June 13, 1902.

J. TYLER HICKS,
Parker House,
Boston, Mass.

Dear Sir:—I have received notice on Monday, June 16th, at ten o'clock A. M. in the case of Hicks

against Graves, the counsel for defendants will move to have the appeal dismissed, the motion being made in the Equity session, first division, Superior Court.

Yours truly,

EDWIN D. SIBLEY.

NOTE—Should the plaintiff be surprised, if in the next notice he receives from Messrs. Creed and Crosby, of a motion to dismiss this case, it should appear Hicks *vs.* the attorneys, or some of the witnesses who have testified in this case?

Have the plaintiffs any right as to the date of special hearing? Have the plaintiffs any right to be present when the exhibits are divided up before the case is decided?

A record of these would at least assist the plaintiffs in the filing of briefs asked for on appeal.

As principal complainant in case 732 Equity, I most earnestly protest and sincerely pray that this case, the record of which to my mind, has no parallel in this Commonwealth, shall not be dismissed until such time as the lower court, as well as the higher, can deal with actual facts involved in the case, in place of the way it was presented to the court. I know of no more convincing reason I can offer that this case should not be dismissed in justice to the intentions of the law, in justice to every reputable attorney, in justice to all judges

that are anxious to deal with facts and render honest decisions as arbitrators between individuals, than to submit the following copies of letters, all of which explain themselves. The originals of these, the two to G. A. Graves, and one to Edwin D. Sibley, were registered at Boston post office. The one to Mr. Willard was not registered.

(Original letter registered at Boston post office Dec. 3, 1902.)

Boston, Dec. 3, 1902.

MR. GEO. A. GRAVES,
35 Hawkins St.,
Boston, Mass.

Dear Sir:—I shall give to Chases' Express an order to call at Combination Park on Thursday, December 4, between the hours of one and two P. M. (if some other hour will be convenient, notify me and I will change the hour), for the following personal property not included in the bill of sale of personal property, January 30, 1901.

One walnut wardrobe, two English hunting prints (a present to A. T. Hicks); all books and vouchers and records of business of all nature from the opening of Combination Park to January 30, 1901.

The above personal property now belongs wholly to John T. Hicks, as I have bought from Arthur his interest in the same.

As you well know, George never contributed one cent, and you also know that the note for money I loaned him for his part of the purchase money I had to return to him before the papers could be passed on January 30, 1901, which was done in your presence; and also you know that no payment had ever been made by him either of the principal or interest of that note.

Now, for the purpose of strengthening this "Confidence in each other," if the gates are not still locked, you will kindly issue an order for my property to be delivered to the expressman when he calls at the time mentioned above.

Respectfully,

JOHN T. HICKS.

(Original letters registered at Boston post office
Dec. 6, 1902.)

Boston, Nov. 26, 1902.

MR. GEORGE A. GRAVES,
35 Hawkins St.,
Boston, Mass.

My dear Sir :— I take the liberty at this time to remind you of what I believe to be, and which you

must know to be facts. I now realize the great mistake I made in having confidence in a brother and a friend. I shall never forget the words you used on August 19, 1898, "We must have confidence in each other."

The first contract and lease of December 28, 1897, was not satisfactory to you and George, and as you had treated me fairly for the time it had run, I did not object to the change, and gave the one of '98 to take the place of the one of '97.

Your scheme at that time is now made plain; in the first contract the books were to be kept open to all, and in the second to only G. A. Graves, with G. H. Hicks as manager, secretary and treasurer.

To accomplish this, Geo. A. Graves and Geo. H. Hicks agreed to give to John T. and Arthur T. Hicks a statement of receipts and expenses each and every month, but you both had to admit in court this you had never done in a period of twenty-eight months.

I now wonder how a brother and his friend could have caught me as you two did. Your letter of June, 1900, was the first to fully make plain your game; your next move was to take a mortgage of all visible property belonging to George and then notify me I must settle at once for George as well as myself.

J. T. and A. T. Hicks could have followed the example you had set, and disposed of their two-third's interest in the property, only mortgaged for about two

cents per foot ; but we preferred to act honorably, hoping we might yet find one honorable hair in your head.

I wish to call your special attention at this time to the fact that the contract and lease of August 19, 1898, with the conditions as to books and vouchers, receipts and expenses, has not as yet been settled, and not one word appears in any of the papers passed January 30, 1901, or in the evidence in court, to show that they have been settled.

I also wish to remind you of what you know to be true — that there was no possible chance for you to have received the deed and bill of sale you did receive on January 30, 1901, except you both faithfully promised we should have the books and vouchers to check up the disputed amounts, as well as to see if the books would show your management, with G. H. Hicks as your assistant, had lost in twenty-eight months forty thousand dollars for J. T. and A. T. Hicks, as your personal statement shows. Fortunately I still have in my possession the letter of J. Porter Crosby, dated February 12th, twelve days after the papers were passed (January 30, 1901) enclosing an exchange bill of sale in which is made plain that you then wished to get a bill of sale that would show you had bought and paid for the books and vouchers in the words "Meaning to convey all of the personal property of whatsoever kind and nature."

You, Mr. Graves, and the slick attorneys, as you testified in court, and as M. J. Creed stated to the court, were closeted together in his office the most of the time for two or three days, evidently discussing the point if it would be safe to ask for a bill of sale that would show they had bought the books and vouchers; evidently my attorney, Robert Nason, must have informed them it would not be safe, as it would positively prevent them from getting a deed, and bill of sale of the personal property. You evidently said we will get the deed first, and then exchange the bill of sale, so you could say you owned the books and papers and vouchers.

I also have in my possession your letter of January 14, 1901, fourteen days after the papers were passed, and two days after J. Porter Crosby's letter was received, in which you say in answer to my letter of a previous date, "George has brought in the books, and I shall have them balanced up in a few days and return them to him." Now, Mr. Graves, for what purpose did you understand you were balancing those books?

I also have a letter from Geo. H. Hicks on February 19th, nineteen days after the papers were passed, and five days later than yours, in which he says he has the books, and should not for a moment think of refusing to give them to me, except for the reason Mr. Graves had told him, that I told Graves that both he and Graves were "thieves."

You must have some understanding and excuse by which to keep from J. T. and A. T. Hicks the books and vouchers, to cover up the amount of about forty thousand dollars,

Leaving it for you to place a proper name to such transactions, I wish to ask you if you have ever heard of a similar case.

If there was no deception, conspiracy, fraud, steal or false pretence, why, in the name of God, could a brother and his friend, both claiming to be our friends, refuse us the books and vouchers, when you, Mr. Graves, had received from us eight per cent. and other large bonuses?

The three letters above referred to, I shall soon publish, as they furnish the most positive proof that you both promised the books and vouchers, and that if we were not entitled to the books and vouchers, which the contract of 1898 shows were wholly in your hands, you must admit you got the deed, and bill of sale under false pretences.

You testified in court, Mr. Graves, you had never been asked for a statement of receipts and expenses or the books and vouchers, while the fact appears, in the finding of the court, that the court dealt with my letter of January 13, 1902, in which that letter asks you for a statement of the amount, and the conditions in accordance with the paper of right to redeem.

You gave the amount, which was increased more than two thousand dollars without any vouchers, ignored the conditions which were most important, and in that letter it refers to books and vouchers, or statements of receipts and expenses, as does your letter of February 14, 1902 refer to the books, and still you take your oath in court you have never been asked for the books and vouchers, statements of receipts and expense, which you had been asked for so many times. Without a doubt it is plain to you and the attorneys why four such important letters were not put in as evidence and marked as exhibits.

It will be as hard for disinterested persons to understand the above as it will be the evidence when they read it and the way in which the case was handled by the attorneys, if it was intended to in any way protect the plaintiffs. It will also be hard to understand how you, Mr. Graves, and George H. Hicks, could stand up in court and take your oaths that, notwithstanding the contract of August 19, 1898, John T. and Arthur T. Hicks continued to manage Combination Park just the same, making contracts, hiring and discharging help, a statement which you both knew to be false, and which the advertisements in the Boston papers will prove to be so, as will also every person familiar with the park.

The Malden Electric Light contract, the G. A. Walker contract, in the way they were handled and presented to the court, the true meaning of them was known

to you, Mr. Graves, and to George, to be false as was most of your testimony, and it was offered for the express purpose of deceiving the court, and was not in any way questioned by my attorneys.

It is not proper for me to criticise the findings of Judge Fessenden; he should not be censured for the way the case was presented to him. I do not think it would be fair for me to expect a reputable attorney to take this case at the present time without a chance of a rehearing, and to get a rehearing in this case they would be obliged to show up the way the case was handled. In other words, members of different professions do not like to show up the wrong doings or incompetency of other members.

It is one thing to get frightened after your case is heard; in my case when E. D. Sibley and J. W. Keith refused to use my most important witnesses to prove the complaint they had drawn, I at once went to E. B. Hale, the morning before my case was called, saying to him I was satisfied beyond doubt my interests were not going to be protected. He replied he was ill, and could not attend court, and I asked him, if the case was called, if as it progressed I was satisfied I was being intentionally wronged by the defendants and my attorneys, if it would answer for me to ask protection from the court. He said he could not advise that, it was a dangerous thing to do, and he would rather remain silent and take chances on the result. I took his

advice, which I believe he intended to be the best he could give me ; I remained silent, took the medicine as it was dealt out, and now I know the result.

I still firmly believe any prominent attorney could have gone to Judge Fessenden, made him acquainted with the facts, a rehearing could have been easily obtained, by which the actual facts could have been made known to the court, as I am not willing to believe any judge cares to be misled by misleading evidence.

Now, Mr. Graves, if there is any word in this letter not true, it is my wish you should inform me what the words are. I have intended to deal with record facts. I intend to use this letter in the future that my friends may know the actual facts, and not be subject to be caught in the same kind of a trap I have been.

Mr. Graves' report has reached me that the tracks in Massachusetts are all to do business the coming season. I am glad if the report is true, as they should be allowed to sell auction pools on the result of the race. They should not, however, in my opinion, be knowingly allowed to rob their friends by heat betting. I know this is contrary to your belief and George's, as the first meeting you run at Dover after Arthur and I left, you started the heat betting.

I shall make no objection to Mystic, Readville or Saugus ; but should you or George, or any other person attempt to have any betting in any form at Combination Park, known to be against the law, I shall at once

use a copy of this letter, and if possible, in consideration of what I have done for the city of Medford, get them to assist me to prevent you from accomplishing your purpose, except you and George adjust matters in some honorable form with me.

You must remember we have been obliged to pay bills you were to pay, as they would not wait longer for their money, one of which amounted to two hundred and fifty-seven dollars; also one to E. B. Hale and others, and have received letters demanding money for overdue bills, to which we replied, they belonged to you to pay. You must also remember the Reed case was also in your hands, and if you have allowed it to go by default you must be responsible to us, as you know, and as your letters show.

I believe it is proper, and for the best interests of the State, that all the other tracks should do business under proper restrictions, and if Combination Park is responsible for their not doing business, I shall not be responsible for the fact, but you will.

If the medicine was good for you to deal out to me, you can take some and see how it agrees with you.

I shall not soon forget the part you played with the Watch and Ward Society and others, that wished to drive J. T. and A. T. Hicks out of the business, as they would not allow heat betting or settle for what was known as "squaring," which the late Edwin Morse said had to be sent to the Watch and Ward Society through

a second party, as they would not receive it direct from him. The conditions at the Boston tracks since I refused to settle, furnish the most positive proof the words of the late Edwin Morse were true. The part you played with the faulty titles, the locking of the gates for no other purpose than to prevent J. T. and A. T. Hicks from realizing one cent, as well as the scheme you worked in trying to raise money on the twenty-five thousand dollar mortgage, endorsed by Chester A. Graves and Sons, using your dead father's name.

As you and George have two hundred shares of stock in your possession, the facts of such possession, you are well aware of, in the company I represent, I wish to say to you that the business of the company has been and is being managed in the interest of every stockholder, and you or George can come into the office any day you wish and the books are open for your inspection, and you will find nothing covered up.

Further comment is unnecessary, I send this letter registered, wishing to possess proof that you received it.

Yours very respectfully,

JOHN T. HICKS.

NOTE.—I have the papers in my possession from Mr. Stone in regard to the faulty Weeks title; I also have some papers that belong to the Bailey case that will explain themselves.

N. B.—You will note the date of this letter is November 26th. Before mailing I decided to make one more test as to your intentions with me, for this reason I sent you registered letter of December 3rd. I have just received word from Mr. Chase of Chases' Express that he called with the order as requested, for two hunting pictures, and a wardrobe which was presented to my wife, the books and vouchers described, which you know all about. Mr. Chase says he was at Combination Park at a quarter to one, and remained therer until a quarter after two. The man in charge of the stable said Mr. Graves was there at eleven A. M., but left no orders for him to deliver above. It is unnecessary for me to say you have succeeded in making a break in my family that can never be healed, as I am not on speaking terms with Geo. H. Hicks, and report has reached me that he is in the baking business. I take the liberty of asking you if you can inform me what he does with his stale bread.

Yours very truly,

JOHN T. HICKS.

Boston, December 3, 1902.

MR. WILLIARD,

Clerk of Supreme Court,

Suffolk ss. Clerk's Office.

My dear sir:—I wish to acknowledge receipt of your postal which is properly dated December 2, 1902,

stating the decision is entered in case Hicks *versus* Hicks (should be Hicks *versus* Graves), in which the court finds the decree affirmed.

I wish at this time to thank you for the very courteous assistance you gave me in ascertaining if the papers were properly filed on appeal, also for suggesting, on my request, for an attorney the name of Mr. Stephen H. Tyng. A complication of circumstances prevented my seeing Mr. Tyng until after he returned from his vacation. He took the matter up, and after examining all of my papers carefully, said to me: "A rehearing should be had in the case in the lower court; that the facts involved should all be heard in the lower court, so, if an appeal must be taken, all the record facts should go to the higher court." He said further: "Mr. Hicks, I am not the man to ask for that rehearing," giving me his reason. I asked him if he could suggest an attorney he thought large enough to approach the lower court, asking for a rehearing. In reply, he suggested the name of Solomon Lincoln; I think this was his name, and I am sure it was Lincoln, as I was attracted by the name Lincoln. But from another attorney I learned Mr. Lincoln had retired from practice,

As I informed you, one prominent attorney informed me he would not take a case in which he would have to be obliged to show up the wrong doings of other attorneys. The result of all is, my briefs were not filed, and unless it is a fact that deception, conspiracy, fraud

and false pretence when proven will vitiate any contract and papers which may have been passed, in that event I will lose a valuable property ; otherwise, as a large part of the consideration is land and cannot well be covered up or moved away, I may yet get justice.

I send you this letter by bearer, Mr. G. H. Gill, and shall ask him to wait until you read it.

The only reply I wish is, if you will kindly give me the name of the clerk of the Equity Court in which my case was heard. His hair and complexion are sandy. I mean the one I talked with on your floor in regard to the missing papers in this case, and the reason why my case was side-tracked to a committee-room. His reply to me was that the only reason he knew was by an understanding between attorneys ; they saying to him it was on account of a bank book being lost, the true meaning of which he did not know.

Again thanking you for the many courtesies extended, I remain,

Yours very respectfully,

JOHN T. HICKS.

(Original letters registered at Boston post office,
Dec. 8, 1902)

Boston, Dec. 8, 1902.

EDWIN D. SIBLEY, Attorney at Law,
Exchange Building, City.

My dear Sir:—I feel at this time it is but proper for me to renew correspondence and my experience I have had with you from about January 20 up to the present date.

Endorsements of your personal friends, together with my acquaintance with your father, prompted me to give you the case.

As you of course know, I placed all of the papers having to do with the case in your hands, and after looking them over you reported to me that I had a good case, but as there was a large amount at stake you wished to call as associate counsel, J. W. Keith, whom you considered as good an attorney as any in Boston.

At your request I met Mr. Keith the next day, for the first time, in your office. You stated you would take the case, also the conditions; that there was no time to waste as the bill of complaint must be filed not later than Monday, Jan. 27, 1902, and that it would be impossible to have it properly prepared before that date.

I was obliged to go to New York on business, and it was agreed that I should return Monday, the 27th, on the 10 A. M. train, coming direct from the station to your office, and you were to have the bill of complaint ready.

Before leaving for New York I received information that you were having more or less conversation with the attorneys for the defence, and I called early in the afternoon at your office and was informed by the young woman in charge that you had gone for the day.

You will remember that since the case was heard I mentioned the fact as above stated, and you replied by saying, "I did not own all of your time," and "that the conversation you were having with the attorneys for the defendant had nothing to do with my case," and then added, "that you did remember, however, of J. Porter Crosby's making the remark to you that you had a big gall to take that case," and that your reply was, "Hicks thinks he has a good case, and if I had not taken it some other fellow would."

Lack of confidence occasioned by the information I had received, you being much seen with the attorneys for the defendant, caused me to wire you from New York, Saturday, January 25th, which fortunately I find in the papers you returned to me, asking you to meet me at the Parker House, Sunday, that my son and I

.

might have a chance to carefully read the bill of complaint you had drawn. You reply back, "Impossible, there will be time enough after you arrive on Monday at 3 P. M."

I arrived at twenty minutes after three, found you and your brother in the profession at your office, you said, as the time was short, and the complaint must be filed, you would read it to me, which you did, but one can realize I could not digest it all in five seconds, however, I did raise the point, as you know, as to the paper of right to redeem, saying to you that I did not know that it was a mortgage, but it was a paper or contract that was taken for a very substantial consideration of deeds of real estate, and bill of sale of personal property, properly acknowledged, while this paper was not acknowledged in return. You said that you and Mr. Keith had carefully looked up other cases, and had decided this was a mortgage, and evidently from the evidence offered in court later by the defendant, this claim made by the plaintiffs that this right to redeem was a mortgage, was satisfactory to them. You handed me a pen and asked me to sign my name as well as that of my son as complainants, which I did.

The amendment to the bill of complaint you surely did not read to me, and I never had any knowledge of it whatever until after the case had been decided.

At the time I succeeded in getting the report of findings from the court, at which time I dismissed you from the case, I asked you what that amendment meant, you replied, "Tyler, I really do not know."

When I first read this report of findings of the court, I soon detected that I had taken a false oath, inasmuch as in one place I made oath to the fact I had read the complaint, while the truth was I had only heard what you read. The answer to complaint by the defendants you well know I never saw until after the case had been decided.

Now, will you be so kind as to point out any effort you made in trying the case to prove the complaint you and Keith had drawn, indicating fraud, conspiracy or deception and cheat, and kindly give me your reasons for refusing to use Officer Lenox as witness to show up the steal at Combination Park? Also, give your reasons for not having J. Porter Crosby's letter of February 12, with exchange bill of sale enclosed, twelve days after the papers were passed, January 30, 1901, marked as one of the exhibits, and offered in evidence?

Also, the letter of G. A. Graves of February 14th, fourteen days after papers were passed which referred to the books and stated when he would have them balanced; also the letter of G. H. Hicks of February 19th, nineteen days after the papers were passed—the two last named letters being written by the defendants in

the case, and the first named letter by their attorney, J. Porter Crosby?

Again I ask, why were not these three letters, which were so important, offered in evidence and marked as exhibits; and also, why was not that most important letter, written by J. T. Hicks, plaintiff, to G. A. Graves, defendant, January 13, 1902, offered in evidence and marked as one of the exhibits, and its full meaning made known to the court, as the word "conditions" was of the greatest importance in the case, and of much more importance than the word "amount?" How was it that the Court dealt with this letter when it was not marked as an exhibit, or offered in evidence?

The evidence makes plain the conditions were entirely ignored by G. A. Graves

Why did you ask me to give you an article the day before the case was called, that you might advertise in Boston papers a dissolution of co-partnership between J. T., George H. and A. T. Hicks? Can it be possible it was for the purpose of getting us punished for contempt of court when testifying to the truth, while the defendant could offer to the court the Boston dailies of the day previous, or what possibly could have been your motive?

The contract of August 19, 1898, of which you deal with in your bill of complaint, makes plain that the plaintiffs, John T. and Arthur T. Hicks, withdrew from the association that had been in existence up to that

date, and the advertisements in the Boston papers make plain that on and after that date it was George H. Hicks, lessee and manager. The contract (exhibit No. 2) makes plain the books were in the hands of and only open to Geo. A. Graves.

You made no effort, whatever, to make the Court acquainted with this important fact. Brother Sibley, I ask you on Your Honor to give me some good reason why you refused me the privilege of sending for my stenographer to come and keep a private record of everything that was said, for my own benefit? When giving your excuse, please state at the same time the reason you would make no effort to secure for me the testimony as reported by Bovell. Why did you and your brother in the profession remain silent while the attorneys for the defendants were offering to the court those misleading contracts, namely: the Malden Electric Light Company contract and the George A. Walker contract, offering me no protection whatever in my struggle to understand what they meant or what they were.

It appears to me, Sibley, an idiot should have brains enough to know those two contracts, as well as much of the testimony they offered, would never have been presented to the Court by the attorneys for the defendant, except they knew they would never be questioned by the attorneys for the plaintiffs, as the plaintiffs would only be allowed to answer such questions as were asked them,

notwithstanding that the closing phrase of the opening of Court included the words: "God save the Commonwealth of Massachusetts." The day is coming when they will have to add to the ode:—"Save the ones that have to pay the bill, as well."

Why did you not notify me, and notify the court when you received word that the court wished to meet the attorneys, that you wished your clients to be present? Had we been present you would have never said to the court, "The plaintiff will not redeem at the full amount."

You reported to me that you said, "Most certainly did wish to redeem," but thought they were entitled to an accounting; but, after going back and talking with Creed and Crosby, attorneys for the defendants you say you were satisfied you did say to the court we would not, but that you were not authorized to say so. Why did you not question the testimony of the defendants, or ask your clients if what they were saying to the court was true or not? You could have asked them to name one person J. T. or A. T. Hicks had discharged from August 19, 1898 to January 30, 1901.

Why did you not point out to the court and refer to the testimony of the defendants in regard to the keeping of the books, making plain to the court, if your clients did not receive the books and vouchers as promised them on January 30, 1901, in that event, the defendant, G. A. Graves received the deed and bill of sale through false pretence, in proof of which you could

have referred the court to the four letters written by the defendants which I have herein described ?

Why did you not, at the time the attorneys for the defendants were dealing with the paper written by Robert Nason, and Attorney Creed stated to the court, and G. A. Graves, defendant, under oath, also stated to the Court, "The attorneys were closeted together for two or three days," why did you not then and there make the Court acquainted with the fact that, as a result of those attorneys being closeted together for two or three days you would offer to the Court the right to redeem that was not acknowledged by G. A. Graves, and why did you not question or examine, or give your clients a chance to examine that exhibit ?

Now, while I would like to ask you one hundred more questions, I will cross off the two ciphers and make it one. Sibley, including all that is honorable, fair and just for the protection of your name and family, how could you advise me to go to New York for three or four days awaiting the decision of the Court, while you then had the decree in your pocket ?

Had I at that time taken your advice, all chance of an appeal, as I understand the law, would have been lost to me, as you and Keith had taken no exceptions on which I could get an appeal, and before I would have returned from New York the time would expire by which I might have something to appeal on.

You well know the first information of the handing down of a decree was furnished me through a letter from Albert Graves, acting for the defendants, written on Combination Park stationery, indicating the case had been decided in favor of defendants, and dated two days prior to the filing of the decree. When I discharged you, I did not realize I would have to call you back into the case to file the paper of appeal. At this point you might have saved me a number of hundred dollars had you told me what you evidently knew, and what I did not, that the facts connected with this case were so bad that no reputable attorney would care to have his name connected with it.

I had fully decided to leave my case on appeal in the hands of the clerk of court but as I had received notice that certain briefs must be filed, which I could not do, and as I was in position to offer good reason for not being in a position to comply with the order, I decided to be present at court on Monday, December the first, the day the case was due to be called, for no other reason than to see who appeared in the case. The only ones I saw were Messrs. Creed and Crosby, for the defendants, and your friend J. W. Keith, (whom you employed, and I discharged) for——?

When the case Hicks *versus* Hicks was called, I asked permission to make a statement as principal complainant in the case, Hicks *versus* Graves, stating to the court at the time that the case was not properly listed

and should not be Hicks *vs.* Hicks, but Hicks *vs.* Graves.

I was granted the privilege by the Court, a courtesy I could hardly have expected, as I was aware of the fact that they could only deal with the evidence as it came from the lower courts, which you know did not deal with the facts, but simply with the way the case had been presented to the court.

In my statement I called the attention of the Court to the fact that if the decision of the lower court should stand, there were many unsettled points which had been intentionally drawn into this case that would in the near future have to come back to their court for their consideration.

The evidence is sufficient to make plain to any fair-minded person as to whether you and Mr. Keith did, or did not make an effort to protect your clients and prove the complaint you had drawn, more especially when they have a chance to read the letters written by the defendants and their attorneys, and the sworn statements of the witnesses you refused to use.

Ex-Governor Black said it was a wise rogue that knows how to select a good lawyer. I am free to confess I was not wise, but am getting so.

The defendants evidently knew how to select what they wanted. If I selected what they wanted I did not select what I wanted myself, as their attorneys accomplished what the defendants wanted, and mine did not accomplish what I wanted.

The most positive way to state the truth is to record it in black and white, which is also, I believe, the most dangerous way to state a lie.

Thanking you in advance for the communication, I remain, still in doubt,

JOHN T. HICKS.

February 2, 1901.

Mr. JOHN T. HICKS,

"Dear Sir:— Your letters of the 30th ult. are received and noted. At your earliest convenience I will call with you on your counsel, Messrs. Stone and Nason, and arrange to carry on the suits in their hands.

Will confer with you about the books when I see you."

Yours truly,

GEORGE A. GRAVES.

(Comments of J. T. Hicks.)

By comparing the date of this letter with the date of February 13, 1902, at which time G. A. Graves testified in court, he had never been asked for the books or a statement, one should easily be satisfied as to the truth of his testimony, in any event on this point.

February 19, 1901.

MR. JOHN T. HICKS.

Dear Sir :— “ Enclosed please find detailed list of personal property belonging to Combination Park, stored there February 1st. Please look it over and note any corrections you wish to have made in it, then return here and I will have bill of sale made out from it.”

Yours truly,

GEORGE A. GRAVES.

(Comments of J. T. Hicks to the above letter.)

It will be noticed that the date of this letter is February 19, 1901, nineteen days after those papers were passed that required those attorneys to be closed together for two or three days, as the defendants and attorneys stated in court. It is the same date as the letter of G. H. Hicks, giving his answer as to the books ; it is seven days after the date of the letter of J. Porter Crosby, in which he failed to get a bill of sale that, under disguise, would cover the books.

After the reply to J. Porter Crosby's letter had been read this one was evidently written to cover up that transaction, and the schedule enclosed by G. A. Graves makes very plain he did not include the books, the two hunting pictures, a present to A. T. Hicks, which he was asked for on December 3, 1902, to which no reply has been received.

I have received no reply to any of the above letters. To my mind this case can never be settled finally until an accounting of the actual facts is had by the books and vouchers, a statement of the receipts and expenses promised the plaintiffs by the defendants, August 19, 1898, and January 30, 1901, as it must be remembered that contract and lease of August 19, 1898, with all its conditions, has not yet been cancelled, settled or adjusted in any way, and those papers were only used in case No. 732 Equity, Hicks *vs.* Graves, for the purpose of proving to the Court that the plaintiffs were entitled to an accounting, a statement of receipts and expenses, and if the plaintiffs did not receive the information promised them, in that event G. A. Graves received the deed and bill of sale of personal property referred to in this case under false pretence.

Elbert Hubbard says in the *Philistine*: "A court is a prison to most of its inmates; no freedom is there—thought is strangled and inspiration still-born."

I am not trying to reach the north pole; I am only trying to reach justice in the good old Commonwealth, near the Cradle of Liberty, which to my mind is now rocking as it never rocked before.

Most respectfully yours,

J. T. Hicks, for Complainant.

This is to certify that I alone am responsible for the form of this brief. I believe it to be true, and in keeping with the intentions of the law, as well as the case.

JOHN T. HICKS.

MR. WILLARD:—

Will you please see the court receives this at ten o'clock this A. M. I do not wish the attorneys to know its contents before the court does. My previous letter to you will make plain my reason.

Mr. J. T. Hicks is ill at 29 Royal St., Medford, Mass. If the plaintiff was, as is a fact, without counsel, and sick at home, was he entitled, in the reader's opinion, to have action on the final decree postponed? If he was not, what protection is left for citizens except to all become members of the bar?

CHAPTER IX.

Among the many wise things taught us boys by the Parson of Readsboro, was, "God sees all you do and judges you accordingly."

One day when the coasting was just as slick as glass on the hill near my father's house, the Parson came stamping along on his way to the store, just under the hill, and for a time meditatively watched us sliding

down and climbing up that hill so famous in the annals of Readsboro's sporting life.

A little chap of our party, middle name was Tyler, as I recall it, had a compound of barrel staves, ropes, boards and the remnants of a sleigh, which he called "a sled."

Sled, or nondescript, that craft was king of that hill, and was easy too, for, bound as she was only with one part holding another and all moving at pleasure, she wiggled over the nubbles around the corners, and over how-de-do-marms in a regularly snakey way.

That vehicle attracted the Parson's eye.

"What do you call her?" he asked of the boy, who, puffing after his long pull up hill, was getting into line behind "the gang" for another coast.

For a moment the little fellow hesitated. He looked sidewise at the Parson, rubbed his nose with his mitten, and finally blurted out, as he belly-buttoned her for a start; "She's the Devil's Bride!"

What the Parson thought of the name, then, was not known, unless a hearty laugh expressed his idea.

He did watch that coast out, yes, and waited for the boys to get back again to the starting line.

"I beat 'em all!" chuckled the boy before named, swinging "The Devil's Bride" into the ruts near the Parson.

"Good for you, though I don't like the name," answered the man of the Gospels.

"Name's all right, an' she's all right. Wanter go one down? We stop front of the store," continued the boy, meanwhile eyeing the man sharply, as if watching for a reprimand.

"Yes, that will be jolly. Much obliged. I'll go down if you'll let me steer," was the response, every word of which proved the boy spirit to be waking up within the old man.

"Bully! Steer away, but don't let them fellers beat us," answered the boy, straddling the front end of his vehicle.

With a good jump and skip the Parson "kneed" his charge, thrusting out a rudder leg in a manner to prove his training.

"Whiz!" went the sled, chasing the first starters at a wild pace.

"Hi there! Make er road for the Devil's Bride!" yelled the boy in glee.

Down the first slant, up the knoll, and then, away for the long hill, rushed the sled, with the Parson's toe smoking behind.

Had the man of Gospels known that hill as intimately as he claimed to be acquainted with the Synoptics, the coast might have ended in glory. As it was, he was not up on the finesse of how-de-do-marms, and when the sled struck that "roncher" nearly down to the store, something happened.

Something happened? Well, I *guess* it did. Boy and Parson were in a mess in the bank of snow and around them was scattered debris from the Devil's Bride.

Up jumped the boy, laughing merrily.

Soon the Parson scrambled to his feet and viewed the results of his steering feat.

"Say, Parson," at length said the boy, quizzically, "You say God see's all we fellers does an' gives judgment on 'em?"

"Certainly, my son, to be sure, He does every hour," was the response.

"Then God must be havin er jolly good laugh at my sled buildin," bout this time," responded the lad, who, as he jumped on the tail of an up-bound pung concluded, "an' he must be smilin a leetle bit at your sterrin."

I feel somewhat that way about the brief I sent to court, that is I calculate the Judges smiled at my method. However, since courts are provided at the people's expense for their use and protection it seems at least unreasonable to say a citizen who is minus a law diploma may not plead his own case in court.

Thinking of the matter seriously, I am of the opinion that the citizen has the *first* right to be heard in court, and the lawyer is permitted there as any other paid servant would be allowed to represent his

employer, say as gardener, coachman, or in any other way.

I know lawyers have said, "The man who is his own attorney has a fool for a client." That's their view of the case. A layman might, with equal justice and force say, "It is better to have a fool for a client than a knave for an attorney."

Well, I've got another batch of sin correspondence to hang out to dry, so I guess I'll take comfort from Rosseau, who puts man all in one group picture, thusly :—

"The world is but a comedy, at best,
To which each one his diff'rent talent brings,
Upon the stage, all for their parts full dress'd
Appear—Priests, Statesmen, Generals and Kings
But we, the people, vile and worthless things—
Held by the great as somewhat in their way—
Must huddle in the pit and hear the play.
Our part's to pay, and that we never miss,
But when the farce is poor, we say our say;
And for our money, we the actors hiss."

Believing the preceding record of facts incomplete, I will, regardless of repetitions, which by the way, are beneficial since they emphasize the truth, here enter copy of a registered letter sent George A. Graves.

June 15, 1903.

MR. GEORGE A. GRAVES,
35 Hawkins St.,
Boston, Mass.

Dear Sir:—I wish to acknowledge to you that your attorneys Creed and Crosby, both in person, together, called at my office Friday, the 12th, and Saturday, the 13th of the present month. The date of their first visit I was not in; the second I was in the barber shop and they waited for me possibly thirty minutes. J. Porter Crosby did the talking after M. J. Creed advised him what to say.

My son Arthur T. Hicks, and my stenographer Mrs. Fraser were both in the office at the time of the conversation, which so far as I could understand, was all in keeping with my past experience with you and your attorneys.

The most important point they seemed to make was, they wished to have me send my present attorneys to their office for information.

I hope I shall never make or repeat the same act by sending my attorneys to be closeted with yours. I shall employ attorneys in the future with the distinct understanding that they will *not* be closeted with attorneys against me except in my presence while handling the case.

From your ways of answering important correspondence, I trust you fully believe that black and white correspondence is the safest way to tell the truth and the most dangerous way to tell a lie.

Did you intend the calling of your attorneys to be a sufficient answer to my letters of last November and December and the last one of May 25th? If so, I wish to ask you to refer to and read those letters and do not overlook the most important points, especially where I refer to the oath you took in court, and to the four letters written within a few days of each other; two by yourself, one by J. Porter Crosby, and one by G. H. Hicks. Also allow my calling your attention to the fact as it appears in the evidence, where it refers to my letters to you asking for amount and conditions. I refer to the Bovell record.

I do not think it necessary for me to say more at this time simply call your attention to record facts as they will appear.

All points of difference of opinion that can be settled out of court will not have to be settled in court.

Your attorneys said, if the expressman would call at the Park you would deliver the black walnut wardrobe that belongs to my wife, and the two hunting pictures that were a present to my son A. T. Hicks. I have instructed them to send for their property.

Now, what about my property? First, the books that were last seen by me in the arms of G. A. Graves and his son Albert S. Graves when they were leaving that dark room in the new court house, to which as you know, they were only taken by an understanding, for effect.

All those books, vouchers and records belong to me. G. H. Hicks, as you know, has never contributed a cent in payment for them.

I have bought of, and paid my son Arthur T. Hicks, for all his interest in the books, and all the personal property and the title to the real estate.

Pardon me for again referring to how strange it looked that you do not dare to write or trust your attorneys to write an answer to such important communications as you have received from me. You must have thought it safer to ask your attorneys to join hands and go together and one tell the other what to say, and then if necessary, he could appear as a witness and take his oath as to what he intended to say.

When I asked them about the books they said they could not talk about the books, but as regarded the Reed case, suit was properly brought against the executors in advance of the two year's limit. They said you would turn that case over to me, but would expect me to pay you whatever expense you had been to.

As regards the expense, of course the books will show that in our final settlement.

Do not lose sight of the fact of amounts I paid when parties would not wait longer for you to pay. To refresh your memory I will name two or three of them. Richard Stone and E. B. Hale ; but, of course these differences will be settled in the final adjustment of books and vouchers.

I shall be pleased to receive the Reed claim and I will do so if you will furnish me with a proper statement showing how the case stands, and that you have properly protected my interests up to this date in this particular case. In that event I will receive the case and give you proper writings to relieve you of any further responsibility in this particular case. That will leave as the most important point to be settled, what the books, vouchers and contracts will show, and the question as to the title of the property, and the long-laid plan of conspiracy which the record evidence will make plain.

You have worked against me from the date of the signing of the first lease December, 1898, at the time you made that remark.

That smile you had on your face will be fresh in my memory while I continue to breathe, when you said, "We must have confidence in each other." Your own private meaning to those words was not only made plain to me but to others when you locked the gates, as well as other plans you worked to knowingly and intentionally wrong me.

I will wait a reasonable time for a proper reply to this letter.

Respectfully yours,

JOHN T. HICKS.

I have not received a reply to that letter, but G. A. Graves has recently sued me for a note I gave him

in 1900, regardless of the fact that both he and his attorney both stated before Judge Fessenden, February 13, 1902, the former under oath, that the settlement made between me and George A. Graves, January 30, 1901, at the time of that celebrated "two days' closeting of attorneys," was in full of all demands of every name and nature against me up to and including January 30, 1901.

This last transaction of G. A. Graves only strengthens the evidence already on record, proving him to have wilfully, intentionally and maliciously wronged me before, at and since February 13, 1902.

The value of G. A. Graves' settlement as above noted, seems to be, from his point of view, about equal to the worth of a horse which an M. D. of my native town got from a minister, I mean a parson.

The story runs in this way : — The M. D. had long been fond of horses and was something of a jockey — quite a sharp one, in fact, not requiring a cue from any one as to when he should lay up a heat, or change the hirsute complexion of his nags.

On the road towards the mountains, in which the M. D. had much practice, the parson lived ; the same one who rode on young Tyler's sled ; quietly, religiously, and from the world's view point, very innocently.

At the time of which I am writing, the M. D. had a right smart stepper, a good looker and a regular high school actor, while the Parson owned a quiet sort of a mare which could give dust to the best of them in that district.

The M. D. and the Parson were each covetous of the other's horse, although of course, the latter did not openly show his disregard for the commandments.

They sprinted in friendly brushes whenever they met on a good bit of road ; they bartered in words ; they did many things to prove their "hoss" better than the other "hoss."

The Parson apparently was very much disinclined to trade, although willingly, in a human sort of way, permitted the M. D. to warm up for a trading contract.

Finally one Sunday afternoon, after the M. D. had gone his rounds among his many charges, he drove to the Parson's house, and finding his ministerial friend in the yard, said, "do you want to trade horses?"

"Certainly not," replied the Parson. "I am not a trader, but if you believe my hoss better adapted to your merciful calling of ministering to the suffering of man than yours is, I might trade, having in mind, as is necessary for my family's comfort, the value of each animal."

"What boot will you give?" demanded the M. D., squirting a fountain of liquid tobacco from his mouth.

"Boot, sir!" exclaimed the Parson, "I am unfamiliar with the trading vocabulary, but supposing boot to mean premium, I say my hoss is worth fifty dollars more than yours, for one special reason, and I won't exchange for a less sum."

"Fifty boot from me!" demanded the M. D. Not on your diploma, Parson! My hoss is worth hun-

dred more'n yours, but I'll swap for seventy-five, an' no less."

Bringing out the animal coveted by the M. D., the Parson patted his shining neck, and breathed in his nostrils.

"Going to swap me?" said the horse.

"The doctor wants you," answered the Parson.

"I've served you well, and you should not part with me replied the four-footed speaker."

The M. D. was astonished.

"Does that hoss talk?" he exclaimed, peering at the animal in amazement.

"Didn't you hear a voice from him, my friend?" meekly answered the Parson. "That's one great reason why he is now worth seventy-five more than your hoss."

A bright scheme came to the M. D. then. He would trade for that hoss, make a tour of the State with his equine talking wonder, and thus win more money in a year than pills would bring him in a life time, especially as he sold the latter mostly on credit or for barter.

"You said fifty to boot, did you Parson."

"I will exchange for one hundred, and then only because of family needs, my friend," answered the Parson.

Taking a big chew to brace his nerves, the M. D. looked the animal over, and then said, "Talk him again."

"You ask him a question?" suggested the Parson.

"Say, old hoss, can you do a mile in thirty?" was the M. D.'s query.

"I can beat your old plug, an' you say he's good for twenty-five," came the answer, followed by a regular hoss laugh.

"Here's your hundred. Hitch him in," was the M. D.'s reply, as he passed the money to his friend.

The exchange was quickly made.

The gratified M. D. gathered up his lines and started away, bidding the Parson a hearty good-day.

"Good-day to you, my friend, and may your newly acquired animal prove a blessing to you in disguise," answered the Parson, who for some reason then best known to himself, was chuckling behind his handkerchief.

"Farewell, kind master; I'm mad at you for trading me and won't talk again," said the horse, which putting in force one of his quiet tricks, bolted down the road.

Some days later the M. D. was told by a friend from Brattleboro that the Parson was not only a ventriloquist, but one of the sharpest traders around.

Possibly G. A. Graves is a ventriloquist.

RAMBLING RECORDS.

M. J. Creed, attorney for G. A. Graves, defendant, in the intricately serpent-like Combination Park law-

Receipt from John T. Hicks for
services rendered during two
or three half days in consultations,
interviews, the settling upon dis-
puted questions with amended
and drafting & redrafting of various
papers deeds & instruments & attend-
ing to execution of same all in
the matter of the conveyance of
Combination Park to George H.
Graves & its reconveyance to said
John T. & Arthur Hicks
Received Payment
Nelson & Proctor.

75 00

The professional rogues of to-day
will manufacture evidence, and will
prove to themselves, regardless of the
people, to be false what was known to
be true in George Washington's day,
even statements of "George" himself.

suits, stated to the Court that at the time the deeds, bill of sale and right to redeem papers was passed, January 30, 1901, "the plaintiffs were represented by one of the most reputable law firms in the city, and that his firm was closeted with them some two days."

In reply to the above statement I called attention to the fact that Robert Nason, as justice of the peace, properly acknowledged all the deeds and papers given to the defendant, G. A. Graves, but allowed his own client to go from that seance at Creed and Crosby's office, without insisting that the right to redeem paper, representing more than one hundred thousand dollars, be then and there acknowledged. Thus he put the right of redemption practically out of action.

From Creed and Crosby's office Robert Nason went with me direct to my office, where I paid him \$75 for being closeted two days with the man who calls him "the most reputable attorney in Boston."

If accuracy in works has any part in building up such reputations as place lawyers where they are known as successful practitioners, surely Mr. Nason's omission as before named must be a factor counting against such a reputation.

I trusted him to do my work thoroughly, honestly, and legally. I supposed he had done so, and his receipt on the opposite page proves that he accepted pay then and there for his work.

Herewith follows a copy of the advertisement referred to in my "brief" letter to Edwin D. Sibley.

From my point of view this one act of Mr. Sibley's proves him at least unfitted to be a judge in Massachusetts.

Boston, Feb. 10, 1902.

"The co-partnership, heretofore existing between John T. Hicks, George H. Hicks and Arthnr T. Hicks, and doing business with the firm name and style of Combination Park Association, is hereby dissolved."

JOHN T. HICKS.

Mr. Sibley knew the co-partnership to have been dissolved a long time previous to February 10, 1902.

What was he driving at?

As proof of my anxiety to read the bill of complaint drawn by Edwin D. Sibley, I herewith give a copy of the telegram he received from me, which is mentioned in my "brief" letter to him.

Jan. 25, 1902.

"Dated New York 25.

To EDWIN SIBLEY, Room 414,

Exchange Building, State St., Boston.

If convenient see me with papers at eleven Sunday, Room 23, Parker House."

J. T. HICKS. 10250.

In a previous chapter is a reference to Judge Pettingill, which, as he has passed from human life, may need simply in justice to the dead, a bit of substantiation.

From my humanly humane point of view, he laid himself open to impeachment, when after saying, "go ahead with your race on the plan proposed," he fined me \$1200 for running that race on the plan approved of by him. Again, his self-placing was open to question, when after reserving his decision one week, he said to my attorney, "I think I shall have to find against your client on two counts, and I guess I might as well send them all up to the higher court. They may be overruled, however except I succeed in reaching *the ear of the judge.*"

A magistrate placing himself in the above indicated position, certainly must expect to receive the public criticism which I printed, and of which I sent him a copy a year or so before his departure to the land where, it is said, all issues are pooled before being divided into two very different classes.

Possibly horsemen who liberally support churches and charities on this earth, may not be even pooled with judges, (court judges, I imply) in the grand finish under the final wire. Well, that's a question which no human being can answer, yet I know neither churches nor charities cast out the horseman's money as base coin.

"The opening of the racing season at Combination Park last week, was even more than was expected from a racing standpoint.

So backward has been the season that few of the horses had the work necessary to stay them up to extreme speed, and then when there was a good chance, the wind on the back-stretch was so stiff as to put such speed out of the question.

Aside from the racing, there was considerable interest in seeing how the new rules would work. The one taking away the power of judges to render a deciding heat 'no heat,' did not come up. Requiring trainers to appear in colors did not result in any spectacular effect, for the drivers were exceedingly modest in their choice of costumes.

The best effect was obtained by Allie Trout, the race driver for Col. John E. Thayer, president of the New England Trotting Horse Breeders Association. He imitated the promoters of the running horse game enough to appear in a black coat with orange sleeves. It is only a question of time when Mr. Trout's example will be more generally followed, for it was the intent of the makers of the law to have the colors or combinations of colors so distinctive as to allow the occupants of the grand stand a fair opportunity to distinguish the different horses and stables. The improvement on this rule which Manager Hicks requested and enforced, making the grooms appear on the track in suitable costumes, was also appreciated.

The license rule was enforced without friction. On some of the small southern tracks there has been some complaint on this score, but at Combination all the drivers were prepared, and there was never a delay of any kind. The northern drivers like it.

The co-operative plan of racing was put into effect and carried out with a fair measure of success, and it will undoubtedly work smoother the better it is understood. A. E. Cole of Hudson profited by the plan in the 2.17 trot, when his horse Nick was distanced after winning a heat. Under the old system he would have got no money. In the second heat of the race no pictures were sold on the horse Kendall, and as the money was divided among the horses back of the money, Mr. Cole got his entrance back.

The surplus above the entrance was divided between the owners and drivers of the winning horses, so that there was a general benefit to horse owners.

The grooms had to get in line last week and put on the Combination Park uniform. It was an improvement that was appreciated."—

Boston Herald, June 20, 1898.

HOOF BEATS FROM DOVER.

It was the best meeting in the history of Granite State Park. They raced horses there from the first word "go" until Alcidalia won the sixth heat of the unfinished 2.10 trot Saturday morning in 2.11 3-4. Twelve races were disposed of, ninety-six horses started;

an average of eight to a class, and it required fifty-five heats to decide to whom the moneys belonged. The appointments of Granite State Park are not exceeded for comfort and neatness by any park in the East.

Under the Hicks Co-operative Racing System, the percentage of sales paid to winning drivers and horses at Dover was as follows :—

Free-for-all-pace—Shillinglaw, Dan Q.,	\$ 74.46
2.21 trot—G. W. Gilbert, Susette,	45.38
2.35 pace—John Conley, American Girl,	49.12
2.28 trot—Bowen & Marsh, Etta Simmons,	79.70
2.11 pace—Ed. Gillies, Peter Turney,	100.58
2.17 pace—Rathburn, Lottie P.,	27.36
2.14 pace—Lester Dore, Chesley,	144.00
pace—Shillinglaw, Susie T.,	40.00
—Roy Collins, Squeezer,	110.96
—Little Dick,	46.32
—Henry Titer, Nico,	64.14
2.12 trot—Dore, Alcidalia,	32.92
	<hr/>
	\$814.94

Speaking of the Hicks Co-operative Racing System, I may briefly say, all we do is to place the photographs on sale and state how we divide the money received from the same. We do no soliciting, but sell a customer what he calls for, the same as would be done in a dry goods store.

You know they charge entrance fees in the \$10,000 purse to those who do not win a cent, as every entry has to pay in instalments \$500, while the four money winners have to pay \$1,000 each.

When the \$20,000 stakes are up, it costs each horse behind the money \$1000, and the four money winners \$2000 each.

If the Hicks co-operative plan is used at the same rates it only costs any party who wishes to take a chance \$5, unless he wishes to take more than one chance. This \$5 is not in any way solicited. There are many points in the Hicks plan that assist in carrying out the intentions of the law to make honest contests, as there is no possible chance for a job by racing a field against a favorite. To get the money every driver must race horses.

Time being the best instructor and educator, we must, if we are logical, expect developments no faster than cause and effect will bring them.

That the Hicks Racing System will in its entirety be the adopted plan for investments on the turf, on the basis of such a plan we firmly believe.

With the view of bringing said Hicks plan generally into notice, and having in mind the betterment of mankind by purifying the turf, I will reproduce on the next page a sheet demonstrating, in part, my racing system.

CONDENSATION OF EXPERIENCE.

Enemies of Labor and Business are those without the capacity to realize that those with liberal ideas, together with the circulation of money, are required,

that labor may be employed. My past experience with the hotel and restaurant trade throughout the United States, has made plain to me the truth of the statement above made. Business and labor need reciprocal protection in the interests of both, the business man in many instances working the harder, and with much longer hours.

The successful hotel or restaurant proprietor works harder and more hours than any of his employees and in addition, has all the financial management. The person who has the business capacity to have left, after paying immense sums for rents and supplies, besides furnishing warmth and food for the large number of employees necessary to carrying on a large establishment, enough with which to pay their salaries, is indeed a true *friend* of labor. Often, it is a fact, that after accomplishing this feat, there is little or nothing left for himself. All are friends of labor who encourage the rich to purchase goods freely and thereby keep their wealth moving for the betterment of mankind.

Fanatics, also those who can perform their daily duties, if they have any, in the early part of the day, breakfasting and dining early, drinking with their meals such stimulant as they wish, or require for their health's sake, have no right to dictate when or what others, whose duties require their breakfasting or dining at other hours of the twenty-four which constitute a day, shall eat or drink.

No person ever yet reformed another by issuing a law controlling his method of life.

The business of the world would stop if meal hours and menus were arbitrarily fixed compelling all people to eat and drink the same sort of supplies at the same hour.

Up-to-date hotels and restaurants are among the strong drawing cards of a great city. Custom decrees—that places of amusement shall be mainly patronized in the evening, and following that fashion, which is alike reasonable and feasible, rich and poor enjoy themselves.

Morally healthful and physically beneficial evening amusements should be encouraged, for in amusement man gains his spiritual force. With equal truth, hotels and restaurants should be legally permitted the privilege of catering not only to the wants and enjoyment of those who seek refreshment after places of amusement close, but as well to the workers who find need for sustenance during the night hours.

The fact of street cars running all night is conclusive proof that many people require food between midnight and morning.

The old adage, "to live and let live," is a good one, therefore, encourage the cheerful and be reconciled to the sober side of life.

George Chaffee, a noble boniface of Middletown, Conn., now gone to rest with the just, the charitable and the generous, had inscribed on the sign which now

swings in front of the inn which he so long made a home for travellers, "As we journey through life let us live by the way." There's a text—there's a sermon—and he who lives up to that text is a man, for no man can truly live who denies his fellow man the right to live in his own honest way.

The practical business man knows, the larger salaries paid the more money in circulation. He also knows that profits must pay all bills and leave a balance for labor and interest if he is to continue in business and remain solvent.

In most cases, if hours of labor are to be shortened with financial safety, labor must first assist capital in adjusting prices for the goods produced at a higher point than has been the limit, otherwise the manufacturer's profit is wiped out by the extra cost of goods resulting from a reduction of each employee's producing power. If such an equitable settlement is not possible, the safe business heads, who are labor's best friends, will retire from business rather than fail in business. An employee with good character and ability is rewarded in the end, and prefers to remain with a successful firm, as well because his salary is promptly paid as for the fact that his standing is higher when graduating from a successful firm than it could be if he had been trained by unsuccessful men.

Character is great, (especially after death). No employer should require his employees to teach him

the meaning of character, and employees should ever bear in mind the old saying, "the young do die, and the old must." Also, they should maintain their daily lives on the plane inspired by the fact that worthy men fill high positions.

I have had experience as to what I am saying, and have catered to the public in many forms through places of amusements, as well as supplying refreshments. In Charlestown, Massachusetts, while conducting Monument Hall, I took pleasure in assisting worthy charities, especially the Old Ladies' and Children's Home, at times when I could ill afford to do so. I am pleased to say my confidence in the principals controlling those worthy charities is yet strong. But since those days of pleasure I have fallen into the hands of a class of charity folk operating under a Christian banner, who after accepting my contribution, turned around and blackmailed me for more. Well, perhaps their expenses were large. That reminds me of what happened to a business friend of mine. He gave twenty-five cents to a woman solicitor for heathen missions. She expressed verbal surprise at the smallness of his gift. He then gave her ten dollars, saying, "The quarter is for the heathen, the ten dollars is to insure their getting the quarter."

I believe a very large percentage of those catering to the public are cheerful givers to charity, and that they have little chance for knowing when they are im-

posed on, therefore I believe all charity soliciting should be done under a license law, and every one of the solicitors wear a State badge.

I have been an employee of others many times, and was comfortable and happy without worry. As employer I have had the pleasure of having all my bills paid, a balance in the bank, and my help all settled with. Again I have had that experience which comes when bills are not paid, and money is not in hand for the help. Also, I know what it is to have a cold sweat at night when wondering where money was coming from to carry my business along. I realize there is but one solution of these great problems of vital interest, that is for each individual to carefully study and discuss the issues with others, in order that he may determine how to vote, to assist in accomplishing the desired result, keeping uppermost in his mind at all times that "manipulators of the law should not be the makers."

The chances for success to the attorneys now graduating, provided they possess an average amount of ability, combined with a little natural detective instinct, are good, provided they say to the world by their deeds, yes, on their signs, at first, "I guarantee to all my clients that I will not be closeted with the attorneys for the other side, excepting my client be present, and I will only make equitable charge for my services."

As to the age limit at which young may lawfully be employed, the widow left with children un-

der fifteen years of age, and without money, should have a voice in the matter. My mother had this experience.

The discussion of issues by the people produces results in the interests of the people.

In place of sitting in his office waiting for clients, that sort of an attorney would have clients waiting for him to serve them.

I would like to live in a community where conditions made it possible for every one employed to receive not less than five dollars a day for his services.

Have developments made plain to those responsible for closing the racing parks in Medford that their action as well as their motive has been an injury both to labor and business?

Happening to think at this moment of the fact that both Governor Crane and Governor Bates had record proof of the facts concerning Judge Pettingill which I cited previously, I am wondering why the representatives of the power which appointed him did not at least ask him to be as logical in action as he was supposed to be just in decision. I realize that governors have complaints made to them by so-called cranks, as well as by men of good sense and honorable intentions, and I contend that a man who has become such a master of political diplomacy as to reach the governorship, must be keen enough to discriminate between a crack-brained fanatic and a man who, according

to the verdict of his friends and business associates, has conclusively proven himself fully up to the standard of intelligent, well-balanced men. It is possible, however, that promotion by political methods implies weakening of mind corresponding with the attaching searing of conscience.

It is possible the man on whom the Watch and Ward Society, through its spies and court allies, vented their spite because he refused to pay hush money, has a reputation fully as honorable as that of any politician in Massachusetts, and as one of many proofs of that claim, the following quotation is made from the Boston Journal.

“Mr. Hicks, the inventor of the Hotel Security Checking Company’s System, has been a resident of Boston for many years. Before he was engaged in the restaurant business he was a prominent turfman and track proprietor, and he is famous among horsemen as one of the squarest men who ever promoted trotting exhibitions. He made a failure of the restaurant business, as he admits, because he had not a checking system that would protect him. By the time that he had perfected his invention he had no restaurant business left.

Since then however, the invention that was born of stern necessity has proved not only valuable to others, but to himself as well, and none are more sincere in their congratulations upon the company’s present pres-

tige than those who knew Mr. Hicks in the days when he was making his little wooden blocks, and thinking, figuring and thinking day and night."

I call that as good a diploma of character as would be embodied in the commission of a Governor. Further than that, party caucuses, conventions, wire pulling and personal solicitation of votes were not parts of its foundation. It stands for Self-identification, not for party servility.

That was almost a speech, therefore to break away from that vein of touting the personal bugle, I'll tell a yarn about Colonel Morrill of Pittsfield, Maine, which has a point; rather a sharp one; bearing on the elusiveness of exclusive goodness when brought in touch with the facts of life.

One of the deacons of *the* church of the town was much interested in getting votes for his parson at a church fair, where a desk was to be awarded to the preacher receiving the biggest bunch of tickets.

Votes were listed at ten cents each, and all the entries were well backed. The worthy deacon scored steadily and got away in good shape. He was in the race to win that desk, and accordingly offered tickets to all his friends far and near; finally he came to Colonel Morrill, and urged that clever horseman to buy fifty tickets on Parson Smith.

The Colonel always knew the gate to his pocket when a call for help came, and he didn't ask a percentage

of the profits before opening it, as many people can testify. He was a bit of a wag, however, and on this occasion, when handing the deacon a fiver, said, "By the way, couldn't you put a little money on Lazy Sam this afternoon? He's a good one—dead sure winner, if all goes smooth—and anyway, the boys enjoy horse racing quite as much as you do touting for desk tickets. What do you say? Shall I go in the pool box on the pacer for you—say up to a hundred? Of course, if you win out, you can buy desk tickets with your profits."

The deacon folded the fiver into his long leather bill book, was a bit uneasy for a moment, thanked the Colonel for his contribution, and then went on his way, rather downish by the head, that's a fact, for a crowd of horsemen who were in the stable office overheard the deal, just whispered a bit of a laugh when he departed, one of those laughs which came from good nature yet are sharp in the echo.

WHY SOME THINGS ARE.

Since this book indicates my belief that Religion, Government, Law and makers of the latter combine to form the principle element of control in the affairs of men, my explanation herein of points touching the battle of an honest citizen against the one great trust, Manipulators of the Law, which controls all Trusts, all Religion, and all Government, has been well and wisely

placed, that is, as viewed by the writer who has been taught the literature, art, science, religion and the law of mankind by compulsory absorption.

Briefly reviewing my declaration to the powers assumed by Manipulators of the Law, allow my saying, when a corporate body, by whatever name known and for whatever purpose formed, has within itself the powers to designate, nominate and elect its own attorney, allies to be makers of the law, its own friends to be approvers of the law, and its own agents to be executors of the law, why am I not safely within the bounds of fact when saying they, the Manipulators of the Law are the greatest trust imaginable and the real controllers of the entire affairs of human life?

Fashion controls the minor details of life, hence, as the entirety of life is only a concentrating of minor details, that is why fashion controls all of human life. Naturally there are classes in fashion, and thus comes the battle of life

We have, that is the fashionable way for a writer who wishes conventional recognition to speak of himself, seen quite a bit of this world laying along the track we have made in a forty odd year's journey from Readsboro, Vermont to our home on the banks of the Mystic and learned some odd things about fashions. Among them the experience of a zealous Baptist woman, who went from Vermont as a missionary to the Fiji Islands.

The young woman found an endless field for operations, and began with a Sunday-School. The attendance was remarkable ; men, women and children flocked to the rendezvous and gladly attempted to understand what she said. She became the fad of the place and her school embraced the entire population of the island. There was only a single drawback to her happiness ; very slight, yet quite embarrassing to a woman of refined manners and cultivated tastes. Fashion ruled those Fijians, and their Mrs. Grundy dictated that a full dress suit for Sunday should consist of a neat necklace of hog's teeth supplemented with an extra rub of oil over the rich brownness of their skin.

The Fijians had no objections to being converted religiously, but when the teacher requested them to lengthen their necklaces or suspend a few palm leaves from their hips, they replied, "We must follow our fashion." The young woman soon returned to America, somewhat wiser than when she left, and much better acquainted with the human form a la Fijian.

I am not foolish enough at this time to attempt the role of a reformer. My experience when seeking to better the conditions around the race tracks furnished to me proof positive that fashion in morals, even in religion, is more powerful than one man. However, I can say a word or two, which like the seed spoken of in parable by The One who gave His life as sacrifice for attempting to change fashion, may fall in good ground.

A clergyman true to the highest ideals is one who labors to reform his own congregation and parish by giving them good advice, wise counsel, and unimpeachable example. He should show them how to make their lives a community conducive to the happiness of all. He should encourage honest games, sports, and contests, and he should not lend his voice, name or church power for a cloak in which self-appointed cliques play with the law. He should turn his back on all so-called moral societies connected with which are grafters who arrest men under fictitious names, and constantly seek to enrich themselves through fines, blackmail and hush money.

I speak plainly and record my statements where all men may read them, in order that I may not be longer misquoted by that mile track pool, the incompetent stewards, or the track managers who have previously twisted my words to fit their personal needs and enmities.

Politics as known to the men who make the books and campaign their favorites against the field, to the men who manipulate the lime light and make records for the campaign graphaphones, is an unknown quantity to me as it is to the majority of men who pay for the music and ice cream, yet can neither arrange the programme nor decide how much glucose goes with a quart of chalk and water. However, I have touched on politics in this book to the extent of questioning the wisdom of

permitting politicians to line up, from the Governor down through the clerk of a court, and declare themselves in a class beyond the reach of people.

Answer me this, you men who hold office, aren't you subjects of the people who pay you? Do you pay the people's living expenses? By what right do you, who are either elected by the people or appointed by those whom the people elect, set yourselves up to be the people's masters?

Those questions aren't put out with the seductive honeycoating used by candidates for office, who before election, deal out platitudes as freely as a new milk's cow gives down her mess, and after election are like old farrow cows; no, sir. They are struck out clean, and their tone is like the voice of the people.

I'm only a gum-bunch off from a gnarled Vermont tree, but I can read a bit, and I daily see on the people's scroll, that scroll which holds the world's destiny, recorded the fact that, as sure as the sun ever shone on the gold top of Massachusetts's law factory, classes must give justice to the masses, or the masses will give the classes such a taste of the law's power as will nauseate them, and compel an elimination of their pride.

That sounds like anarchy, sure, and likewise, it is common horse sense.

Anarchy has a place in the world's economy. It is to the body politic what epsom salts are to the body human. It is no more a necessity than salts are; that

is primarily, but as the body human will gorge itself until it's a question of physic or fever, so does the body politic stuff itself with class pride until the people must either give a dose of anarchy or take a dose of starvery.

I know many yarns about the folk of my native state, and as stories are but the expressions of character, I have in them a fund of points fully as valuable to me as the Greek alphabet is to some of our high school graduates, perhaps more so. I am not sure on that point as I do not know how the Greek alphabet fits into selling shoe-thread and vinegar in a department store.

Here's a yarn pointing to my next text. A chap came home from the circus with a head full of red fire, clowns, acrobats and elephants. He got a thirst when arriving at the tavern, and drove his horse under the shed preparatory to spending the balance of the evening in the room flavored with lemons and boiled molasses.

Crows were very plentiful and bold that year. Corn was practically eaten by them before it sprouted. Devices of all sorts were constructed to scare the pil-lagers, in fact the town was up in arms against crows.

The jolly old landlord was big all over, therefore, when his farmer made a fac-smile of the boniface by stuffing a suit of his regimentals with hay, the result was realistic to a remarkable degree.

That effigy had been completed late in the afternoon of circus day, and was put in a corner of the shed, there to remain until morning. The chap so full of

circus wonders saw it, and being sure it was boniface himself, said, "Hello, Siar, I'm dryer 'n a whole run o' herrin'. Mix me some milk an' what you puts inter er stone fence, exceptin' ther cider."

The effigy spake not, yet, there in the shed's gloom it surely resembled the landlord.

Again and again the chap repeated his order, meanwhile becoming more and more nervous.

He crept near the dummy, even touched it with his finger, and at length getting a startling idea through the mists of that circus fire, ran into the bar, shouting, "Siar's hung himself in ther shed! ! !"

That's my text, and here's my sermon. The rank and file of the Republican party see a dummy clothed in virtue, courage, honor, unselfishness, wisdom, justice and patriotism of Lincoln, Grant, Hayes and McKinley, and bewildered by the glucose eloquence of the present party leaders, believe they are voting for the principles of those grand men who made the party a synonym of greatness.

It is a pleasure to vote for a statesman who acts on his best judgment in the people's interest, never pausing to consider whether his action will increase or decrease the party vote at the next election. But a dummy! My—my—what a dish of sour milk a dummy is!

I most respectfully ask the reader of my correspondence with the last two governors of Massachusetts

to judge whether, at the last state election the rank and file of our party voted for their memories of Lincoln, Grant, Hayes and McKinley, or for Crane and Bates.

Had the people known all the facts based upon my experience as herein recorded, before election, is it not possible our vote would have been smaller unless pledges for reform, signed by men to whom we could safely look for honoring the names, had been made?

The farmer, the blood producer of the nation, believes the best species of a politician is the "rail splitter," and the poorest the "rail straddler." Their votes are a mighty factor, and it is inconceivable that they would knowingly vote for a man who straddled questions vital to their business interests.

There is much said by our political leaders about "the people," their rights and their powers, and yet, whichever side wins the election, the chronic officeholders are the ones who get control of the people's power, and exercise the rights "of the dear people," who are forgotten until next election, except when taxes are levied. My idea is not liable to be accepted for trial, but it would cure the disease known as "chronic officiatum," of which the symptoms are a forgetfulness of dates except pay day, and of manners and habits of the genuine man except at election time, it is this; organize a real People's Party, and let its platform foundation be, "No man shall be nominated for, elected to,

suggested for, or appointed to an office who has ever held any sort, kind, or description of a public office." We could then nominate, and *elect*, surely, because the non-officeholders are the majority; able men, free from "*officium nottamus*," and the political hacks could take a hand at cultivating the dirt pre-human — not the dust in man shape — while, for a time at least our national, state, and municipal government would be run on business principles, and we would not see so many men in office whose only recommendation for place is, "Why, if we don't keep them in office how will they get a living?"

God save the Commonwealth of Massachusetts!

There is a wart-like growth among men, which is best described by the words of a young man in my native town, who, on going to the polls for the first time, said, "My father an' grandfather voted for Andy Jackson an' hard cider, an' so'm I votin' an' so's my son goin' to vote, an' his son. Them's ideas what stick; them's part of the Nations' backbone. Hurrah for Andy Jackson and hard cider!"

With such voters in the majority we would soon be hard and fast on the rocks of bankruptcy, for when a man always looks backward, he is unconscious of present dangers.

Such voters are as well armed to protect the Nation's integrity as was one I read of in an old verse romance. Right here I may say, my quotations are

reasonable because one so little learned in books as I have been, naturally clips from books and papers a sort of alphabet of knowledge, and builds words from them as his needs are made known by the great teacher Experience.

Here's the verse-romance, which as I believe, you will declare fitting to this period of my "Setting and Springing of my own Net or Trap:"—

"He put his acorn helmet on ;
 It was plumed of the silk of the thistle down ;
 The corselet plate that guarded his breast
 Was once the wild bee's golden vest ;
 His cloak, of a thousand mingled dyes,
 Was formed of the wings of butterflies ;
 His shield was the shell of a lady-bug queen.
 Studs of gold on a ground of green ;
 And the quivering lance which he brandished bright,
 Was the sting of a wasp he had slain in fight.
 Swift he bestrode his fire-fly steed ;
 He bared his blade of the bent grass blue ;
 He drove his spurs of the cockle-seed,
 And away like a glance of thought he flew,
 To skim the heavens, and follow far
 The fiery trail of the rocket-star."

That chap could lick a sunbeam; sure thing.

My experience with lawyers leads to a comparison of the breed to sheep-ticks. They grow fat while making other men scratch. Yet attorneys-at-law were originally educated by, for and to The Law which in early days was respected, and as generally obeyed as lawyers

were honored. Yes, the title lawyer, once conveyed honor to its possessor, and was accorded a place of dignity among professional, political, and royal prefixes.

All observing men know that the practice of law to-day, often implies more than hints of criminality on the part of attorneys.

Cases are manufactured, evidence is grown in detective hot-houses, honest men who swear to give truthful evidence are traduced, reputations are blackened in order to influence juries, blackguarding lawyers insult men during cross-examination, whose shoes they are not worthy to shine. Court rooms echo and re-echo, "we are the schools of scandal, the rostrum of shysters, the arena of blackmailers."

The sacred precincts of home are invaded by lawyers who seek to fatten on divorce cases; fathers are set against sons, mothers against daughters, and even infants are dragged into court as purveyor of wealth to the insatiable vampires who feed on human sorrow.

Every man of good character is liable to be held up by one of these Blackstonian highwaymen at any time, therefore I say, when you see a green bag, *look out for danger*.

Reputable attorneys and Bar Associations have only themselves to blame if they fail to protect themselves and the public from that class of lawyers which I name, divide-up-closeted-together-vampire-bats; that class of fellows who "split the difference," and in cases

where their clients are temporarily exhausted financially, get continuance of cases in order to draw blood again when the old tap-holes are healed.

Every honest lawyer would say, if he stated the facts, "The bar is taking on the shape of a human octopus."

A RESULT OF SELF-IDENTIFICATION.

A person who takes valueless articles, metals, wood, paper, dirt, water, air and applies to them ideas, and puts them in so valuable form, or to such valuable uses that professional rogues wish to steal them, in forms which furnish new employment to many persons, he is, from my point of view, an Inventor.

I have very plainly recorded my experience with, and opinions of that species of a lawyer, who charms his client with promises of success, and then eats him, houses, lands, bones and all.

They are children of Satan, from the darkest corners of Shehol, but as compared with the human beasts who steal from a patent ideas here and there, weave them into a claimed new form, and then patent these "shadow claims," they are angels of light. In fact I believe the man who steals the fruits of another's brain is such a moral bastard that Satan would be ashamed to class among his lowest menials. I've met that sort of so-called men; some of them are classed among the 400. However, that's not to be wondered at, for the

exclusively elected select remnants of once honest, honored and noble men now embrace apes and monkeys in their jewelled arms, and keep valets for their dogs.

Some of that old Vermont sap which flowed in the veins of Ethan Allen is now firing up in me, therefore, I guess it's wise to get down my scrap-book alphabet and put a bit of music in here to still the spirit which in these days of "rule-by-policy, and bait-your-trap-with-honey," seems to be as much out of place as a bashful man would be in the Watch and Ward Society.

When I was mining in my brain for ideas to perfect that Self-identification, that patent of which I am now so justly proud, Hope, the angel of mercy, the angel of strength was often my only friend, outside of my noble wife and ever loyal children, and in those days I found consolation in the inspired words of that immortal German, the Prince of Minds, Schiller, who sang of Hope:—

"How often they come, and with what charming grace,
The dreams of the days that are nearing!
How warmly we welcome the sweet resting place,
Out there in the future appearing!
One moment we're up, and the next we are down;
No matter, the Future for us has a crown,"

"Hope calls us and leads us and ever assures;
On wings to the infant she hurries;
The boy she entices; the nan she allures;
And her, the old grey-beard ne'er buries.
For e'en though the grave must, at last, be his fate,
He's sure that beside it his waking she'll wait."

"Oh, Hope's not a simple, a meaningless name,
 'Within the fool's brains generated;
 The heart ever burns, in loud notes to proclaim;
 For purposes grand we've created;
 Whenever the Innermost voice aught repeats,
 The soul in its longings, that voice never cheats."

Some men have classed poets among fools. I say they are the missing links between man in Eden and man in Hell. The Reverends Barstow and Pierson having classed me among those who will be sentenced to "outer darkness," where is "weeping and wailing and gnashing of teeth," it seems to me a duty that I should identify myself in the religious line, not with the view of disparaging them; they are identified among preachers and men; but for the purpose of having my record clearly defined, first in honor to my mother, second, in justice to, and in love for my wife and the children she has honored me with.

I've dug this symposium out of ice wagons, milk carts, livery stables, restaurants, horse races and checking systems, not to mention the exudations called men who were associated with my pilgrimages in patrol wagons to jails, and my journeys on foot to various centres of legal lore.

Here it is, perhaps not in such words as would grace a governor's inaugural or ornament a lawyer's brief, to say nothing of a sheriff's writ, but here it is:—

Without God our Father, life is a waste through which we grope, without a ray of light, without one de-

finer purpose or fact ; without faith, hope, love or any communion with the spirit of true manhood or womanhood. How so, do you say ? Why, because God is the creator of life, faith, love and the inspiration of spiritual intercourse between man and man ; because God is our father in the fullest sense of fatherhood ; therefore, if we are not in touch with God, and God our Father, then are we by ourselves alone, bereft of all the endowments which raise man above the animal. God, the Father, is to be talked with and approached by every one of His children ; he is a father who knows His children's wants, and will grant their wishes if they be in accordance with His laws, and are not only sought for, but *worked* for.

God made all things. In that statement is a sufficiency of reasoning to answer all the unbelievers who ever have or ever will dispute my statements concerning Him. The immensity of power embodied in the One who created all which makes life, light, living, loving and the entirety of time and eternity is surely sufficient to comprehend the wants of any one of his creatures, if it be sufficient to create and maintain the physical universe.

That may startle some of my friends who know the accuracy of my judgement on split seconds at a horse race. If so, I say they may smoke over the matter and see if I'm not as near right in that as I was when saying heat betting encourages deception and fraud.

Hicks, John Tyler Hicks, that's my name, and the Hicks Method, a Means and Method claim, my mental child born of my necessity, is protected by United States Patent 500,071, passed by the Board of Appeals, January 20, 1893.

When passing the Hicks Means and Method claim, the Examiners-in-chief said:—"Both the means and the improvement in the art carried out by the use of the means, as well as the object and purpose thereof, are found to be different from anything set forth in the patent cited in reference, while the numerous patents in this line quoted by appellant, most of them recent, afford ample precedent for the finding of patent ability in such matters when displaying the requisite novelty utility and importance to warrant the presumption of invention in their origination. We do not regard the device of this application as a mere "system of doing business," open to the strictures of the court expressed in the decisions quoted, but as an ingenious method and means of preventing and detecting fraud, analagous to many patents, devices and systems in use with banks, corporations and transporation companies to a similar praiseworthy end. It has been tested in practical use, as the depositions show, and found to be of great practical utility and value."

(Signed)

H. H. BATES.

R. S. B. CLARKE.

Examiners-in-chief.

With that commendation and endorsement the Hicks Method represents more than a thing hoped for, an idea personally believed to be of value to man, it stands for its inventors's Self-identification, and is proof positive that he has not lived as a man of clay.

The Hicks Method was thought out when self-protection was the dominating force, the real moral issue of the inventor's life. Practical operation at once proved it to be a perfect method for checking hotel and restaurant supplies.

The simple method of daily auditing started by and grown with the Hicks Method has led up to the most important results, and is now so firmly established with successful hotel and restaurant proprietors, operating on up-to-date ideas, that they at once distrust employees who are opposed to it.

The experience acquired while introducing and maintaining the Hicks Method in a large number of establishments throughout the United States, coupled with my experience in connection with attorneys, courts and two governors of Massachusetts, convinces me that all citizens who now have or ever hope to have a dollar, or who wish to protect their homes, will soon realize the great importance of having public accounts checked and audited through a simple process which they themselves can understand, and which shall not be controlled by technicalities and law phrases while results are strangled by delays.

For the benefit of men who are, and boys who must soon be struggling with the crossing currents of life's sea, I quote from the Charlestown "Enterprise," which, in its issue of Saturday, December 15, 1894, said:—

"The public has devoured so many testimonials from all sorts of people, big and little, for all sorts of things, great and small, that its appetite in that direction is somewhat jaded, to say the least.

"Prize fighters and prima donnas vie with each other in endorsing soaps and salves, and skin remedies, and in order to be impressed by a recommendation to-day, the business men of this city want to see something that does not bear on its face the inscription; For value received.

"The finest and most impressive batch of testimonials that has been gathered and published in many a day, has been issued by the Hotel Security Checking Company, owners of J. T. Hicks' patented system of checking for hotels, restaurants, etc. It is—a triumph of lithography and typography. Beyond that point it calls for commendation, for the testimonials are from such men as J. Reed Whipple of Young's and Parker's; Hunting and Hammond of the Murray Hill; F. A. Hammond of the Plaza; Alexander Stewart of the Stewart; N. B. Barry of the St. Cloud; John O'Neil of O'Neil's famous oyster and chop house, all hotel men of world-wide fame, who say, with the super-

intendent of the Fall River Line, that the checking system invented and patented by J. Tyler Hicks is the best ever used by them or devised by man.

"They say it over their own signatures, after a thorough trial of the idea. They are men too, whose opinions on that subject are not in the market. They say so because it is so.

"As a resident and business man in Charlestown for many years, Mr. Hicks has become one of its best-known citizens, and his enterprise, ambition and public spirit have been manifested in many ways. People who know him intimately realize that the invention referred to is the crowing achievement of his life, but those who are not numbered among his personal friends may not understand the causes and the results of the checking system that he has devised and patented, and which has made him famous among hotel men.

"In order to thoroughly understand the entire matter, it may be well to begin at the time, thirty-three years ago, when Mr. Hicks came to Boston from the country. He was young, full of energy, and willing to work at any honorable occupation that would lead to success in life. His first employment in this great city was a striker, or assistant on an ice wagon. Then he worked for Chas. A. Barker who was a grocer and provision dealer, and afterwards he went into the milk business on his own account. He was very successful, but his health began to fail, and doctors told him he must

change his occupation. Following their advice, he opened a grocery store on Russell Street, and from there he went to Main Street where, in the store now occupied by S. B. Plummer, he became a dealer in gentlemens' furnishings.

"It has been said that Mr. Hicks was ambitious. A man with less ambition would have been satisfied with that fair degree of success which had rewarded him in all he had undertaken up to that time, but his ideas were larger than his surroundings.

"He thought there was room, even a demand, in Charlestown for a large hall, with such accessories as are found in all large cities of respectable proportions. In 1870 he erected the Monument Hall property, really a stupendous undertaking, and one that was contrary to the well-meant and undoubtedly judicious advice of older and more experienced men. At that time, however, he was comparatively a young man, and very sanguine, and it was only when the big pile was completed, and he stood at the top that he fully realized the responsibility assumed by him.

"The expense of that undertaking was no less than \$160,000 including fittings, *et cetera*. When he retired from the Monument Hall enterprise, he could still point to the fact that he had been reasonably successful in conducting that undertaking, although the strain had been great, and the result of other ambitious efforts at the same time had not been as fruitful as he hoped for.

In the meantime he had begun to make a specialty of catering, and was steadily increasing his yearly business and his reputation in that direction and finally he determined to devote his whole time to restaurant keeping and catering.

"He had been successful—as successful as most men hope to be—in his newest venture. He was making a satisfactory profit as purveyor to public and private parties, and the first restaurant he opened was a great success. Then his ambition again showed itself. In a comparatively short time he had three restaurants under way, in the busiest sections of business Boston, had increased his catering patronage many fold, and was apparently on the high road to wealth. But the profits that, according to all ordinary deductions should have resulted from such immense transactions, were not manifest.

"There is little substantial satisfaction in seeing a great number of people coming in and going out of one's place of business if the coming and going means actual loss to the owner. Mr. Hicks studied and pondered; he wrestled with the problem, and twice while he wrestled, he was in financial straits. He studied the mystery in the front part of his restaurants, and he investigated it at the base of supplies and also along their route, and his study brought light.

"One day, in a restaurant owned by him at the corner of Causeway and New Staniford Streets, the

patrons noticed a young woman seated at a table. Before her was a sheet of paper and a series of crude wooden blocks on which were raised figures. Every order that was brought from the kitchen was checked on that sheet in stencil ink and a duplicate check was given to the customer and by him to the cashier. That was the outcome of Tyler Hicks' cogitations and researches. It was the beginning of a remarkably efficacious and simple system—a system that the employees laughed at when it was introduced, but which could not be laughed out of the mind of the deviser. He saw what could be done with it and what the results were bound to be if it were adopted. Some of his best friends thought he had exaggerated ideas as to the value of his scheme, and he let them think. He was quite a thinker himself.

“When it was first started in his Summer Street restaurant the manager opposed it in the strongest terms, saying it would drive every customer away from the place. Mr. Hicks replied, “If it does, we will close the doors and shall lose no more money here.” That settled it. The system was started. In forty-eight hours' time the proprietor had learned by means of that system, that he was losing from \$20 to \$35 per day, independent of any amounts that the waiters might be getting. At the same time Mr. Hicks had six *National Cash Registers* in operation at his different places.

"Finally, having tested the plan to his own satisfaction, he obtained a practical test of it by men of experience and reputation as first-class hotel keepers. They saw at once what it meant in the way of saving for them in a direction where the hope of close saving had been practically abandoned. Its very simplicity, and at the same time its perfect inter-locking method commended itself to them. Then Mr. Hicks applied for his patent. This was a matter that required no little effort. It required some time to explain the matter fully to the patent office officials, but when it was thoroughly understood a patent was granted without any delay.

"That was the beginning of the ultimate triumph. The system was already talked about by hotel men. J. Reed Whipple of Young's Hotel and the Parker House, who is admittedly one of the practical and successful hotel men of the World, had already tested, adopted and indorsed the method. A stock company was formed, and the Hotel Security Checking Comany began its career. Already it has achieved a degree of success that has been granted to but few corporations doing business on the strength of a single invention.

"Columns might be filled with interesting stories of the experiences that have resulted from the introduction of this system, but there is not room. In one hotel the waiters were paying the head waiter ten dollars a month each for their positions. Curiously enough,

after the system was introduced they found it impossible to make their former profit, and they declined to be assessed. There was trouble, of course, and then the proprietor learned for the first time how the head waiter had added to his salary. In another place the assessment was five dollars a month. The outcome was the same when the checking system was introduced. In both cases there was a change in head waiters.

"There is something humorous in the story of the hotel manager who wanted to adopt the system as a check on waiters, but who rose in wrath against it when he learned that it proved to the proprietors a guarantee that not one cent could be diverted from the proper channel from the time it left the customer's hands until it reached the safe or bank account. In every place, without exception, where the system has received an honest, earnest trial, and where the company has been able to reach the man whose money is at stake in an establishment, the method is a gratifying success.

"It is due, however, as a matter of justice to many of the stewards of the hotels where the system is in operation, to say that they have given it their full support and do not fear or oppose a perfect checking system.

"One of the commendable points in favor of the system is the entirely independent and absolutely accurate method of daily auditing that is involved. Every morning in the hotels where it is used, young

ladies specially employed for the purpose, examine all checks, compare them with the main sheet, record all missing checks and discrepancies in figures, and on special report sheets make note of these facts, with other details, including the cash transactions in each department, and the amounts charged. There are, it may be stated, many very simple ways in which proprietors can ascertain if the method is being properly audited. This is an extremely valuable point in its favor.

"It has been stated in this article that twice before Mr. Hicks found means to protect himself and his business he was financially embarrassed. There are hotel keepers who say plainly that they owe to Mr. Hicks' system the fact that they are now in active business. They were involved, and one of them so deeply that he obtained an extension from his creditors in order to see what he could save by using the system. Since then he has paid one hundred cents on a dollar. It is Mr. Hicks own testimony that it took him fifteen years to learn that the checker's table is more important to the proprietor than the money drawer. If orders are properly checked and amounts properly registered the proprietor knows what amount to look for in the money drawer.

"The system works like one of our time-locks," said a famous safe man the other day. "All of the parts—the main sheet the guest checks—are so closely connected and so interdependent that nothing

except accuracy is possible." That is the sum and substance of the matter. Of course, in order to obtain complete results, every man who owns a hotel or restaurant in which the system is introduced, must actively interest himself in giving it a fair and honest trial. When he does that he gets better results than he expects. It is a matter that for obvious reasons cannot be left to the mercy of others.

"I don't claim a great deal of credit for this invention," said Mr. Hicks, the other day. "With me it was a case of necessity. In my own business I was brought face to face with the knowledge that something had to be done. When I found out what to do I quickly saw that it was just what lots of people would have to do for their own preservation.

"This seems to be a splendid illustration of the fact that 'necessity is the mother of invention.' The invention in this case happens to be one that requires Mr. Hicks' personal and exclusive attention as manager of the Hotel Security Checking Company, of which J. Reed Whipple was president in the year 1900.

"The Hicks Method is in use in the largest hotels, by the largest steamboat companies, in some of the largest restaurants and by the most prominent and successful firms and proprietors in the United States."

I accept the compliments given in the forgoing article because they belong to the individual grown

from the boy my mother named John Tyler Hicks. Yet others are entitled to share in the commendation thus given a meritorious invention; I refer to those friends, who, when my ideas were struggling to take shape, when, as all men must who contend against adverse circumstances, I needed the comfort of encouraging words and the substantial backing of finance, stood at my side, cheered me on and backed me with their funds. To all of them, to each of them, I now give public acknowledgment of my indebtedness to them, and my appreciation of their invaluable assistance.

J. Reed Whipple made it possible for John Tyler Hicks to be president of the Hotel Security Checking Company. He had control of the stock at one time, and had opportunities to sell his control of the Company to outside purchasers for a large amount, but he declined to desert John T. and Arthur T. Hicks. He is reported to have said at the time, "that Hicks had assisted him and he would assist Hicks." Mr. Whipple sold all of his stock to John T. and Arthur T. Hicks. By this action he made John T. Hicks president and Arthur T. Hicks general manager of the Company. His hotels were the first ones to use this checking system.

EUROPEAN *vs.* AMERICAN PLAN.

To satisfy ourselves as to the relative value of both plans, we obtained permission of one of the largest houses in this country, in which we were checking the

European department to experiment with the American plan.

The house charged \$17 per week table board on the American plan.

Charges were based on half portion, prices of the European plan, as the size of portion was identical with European plan, half portion.

At the end of seven days we showed to the manager that had this food been served on the European plan, instead of the American, the management would have realized \$1,300.00 in addition to what they did receive on a basis of \$17.00 per capita.

Out in Medford, Mass., a thirty-minutes' ride by frequent-running trolleys from the Boston hotel centres, the Hotel Security Checking Co. now have their plant for producing fixtures and supplies required in the operation of the Hicks Method, which now firmly established as one of the vital organs in hotel finance, may be justly proud of the following testimonial:—

Buffalo, N. Y., Oct. 20, 1901.

HOTEL SECURITY CHECKING COMPANY,
Parker House, Boston, Mass.

Gentlemen:— “As we are drawing to the close of our work at the Pan American Exposition I wish to take

this opportunity of expressing to you the appreciation and satisfaction which I feel in your share of the work of the Bailey Catering Company. This is the third exposition at which I have been connected with the major restaurant concession, and I can assure you from my experience that the work of checking and auditing the vast amount of business here has been in every way much more thorough and complete than at any of the preceding expositions. While it is well understood that your system is superior to any other in existence in well ordered establishments, I have to say that its application to my business at the Pan American Exposition in its various types of restaurants, undoubtedly shows that it has no superior in work of this character.

Thanking you for the very great interest you have taken in this matter, I am,

Very truly,

FRED J. BAILEY,
General Manager."

With such commendations as the above, I may justly assert that, in spite of many trials, the boy who grew up with no other advantages than those supplied by comparative poverty and the limited educational privileges of Readsboro, Vermont, has not lived in vain.

Sermonizing is an art, perhaps an acquired science, surely with which I am unacquainted, and the use of

which in daily life seems to smack of egoism. However, I can say, without trenching on the domain of preachers and teachers, the strong men of to-morrow are growing from the boys of to-day who work. The idle class produces few men of the true metal in which we may safely trust the future of our Nation.

When we trained colts, we subdued them, worked them and taught them their place in and out of harness. Colts left to grow as they would, seldom, if ever developed into useful or profitable horses.

Schools wherein science and language are taught, are good things. Homes in which loyalty to parents, country and God are taught, wherein the glory of honest labor is exalted above the veneering put on in idleness to assert an hereditary claim to class elevation, are the foundation stones of manhood and the defence of our nation.

I admit that a few strong men have grown from scions of aristocracy, but I contend forcibly that the character balance of America comes from people born in humble homes of stock running its tap root into the blood of the men and women who carved their homes out of the primeval forests of New England.

TYLER HICKS' PRAYER.

I thank the Lord
my life has been spared
to see the result.

WILLIAM TALL'S TURF ITEMS.

"The Watch and Ward Society having asked the Legislature to protect them from taking money, I am wondering if passing the law they advise would not establish a troublesome precedent; that is from the point of view of some men.

"The Watch and Ward men found the shell boys and the Hootchi Coochi girls at the New England fair races, but failed to locate the heat betting box, hence I am almost forced to ask, were they obliged to take the money in order to prevent their locating that box?

"Will Brothers Johnson and Chase tell the Governor of Massachusetts who was going between them when they returned from Malden Court on that memorable William Tall day?

"John Tyler Hicks said to the Board of appeals: 'Unless you prohibit and prevent heat betting on harness tracks, wheels will stop turning on them.'

"What has resulted from ignoring his advice? Rigby and Old Orchard closed for lack of patronage; Mystic and Combination closed because their proprietors wished to protect the public.

"When blackmail and heat betting are relegated to the chamber of iniquity wherein their brother sins abide, business will be brisker in Boston, as it was when Mystic and Combination were open for the public's pleasure and betterment.

"If in six years the mile track circuit managers, in conjunction with heat betters, have caused four tracks to cease business, how long will it be before their methods close all the tracks? Again, how soon will the public become acquainted with their game?"

"Remember, it is the mile track circuit acting with the heat betters, and *not* the Eastern circuit without heat betting, which is responsible for the tracks closing because of lack of patronage.

"Tyler Hicks is not entitled to the credit for Rev. Isaac Pierson's removal from South Medford. The King's Daughters brought that about.

"Out of the slimey marsh, Tyler Hicks built a thing of beauty; above it he reared a temple of pleasure unsurpassed in its field among all the resorts to which civilized men go for healthful relaxation from business and care. The Watch and Ward Society shut man out of this haven of rest, because, from their point of view, it was unprofitable."

RETROSPECT AND QUERY.

Granite State Park at Dover, New Hampshire, was built by John T. Hicks in 1876. The top dressing was the light loom found on the grounds, and it contained such a quantity of gravel as to prevent proper packing.

In 1897, the Hon. Frank Jones got me interested with him to put the track in working condition, then

the idea of using clay and muck, which could only be obtained by long hauling, was discussed. After Mr. Jones sailed for Europe I decided to screen all the gravel from the soil that was used, believing it would then pack to a point where if anything additional was needed to make the soil a little stronger, stable dressing would be sufficient.

It was a hobby of mine to build a track on which would be a different grade for each quarter. Any one who carefully examines the heavy fill put in the first quarter of the first turn at Dover, will plainly see my idea in force.

Many horses are inclined to be wild and over anxious when scoring, therefore, I believe it better to have the first quarter an up grade. The second quarter a down grade, the third quarter an up grade and the last one a down grade; a horse's muscles would be rested when doing a fast mile. Further on such a track you could condition horses better for racing on other tracks than you could over a flat track, especially ones that have long stretches, hence, I believe the loam now on the Dover track is perfect.

The Dover roads are soft, and thus especially well adapted for jogging horses, the water at the stables is excellent, and the pure air from Willard's Pond pine grove is of great value to horses, therefore, for these and previously stated reasons, Dover's track is one of the most desirable and safest all around mile tracks for con-

ditioning and racing in the world. Fourteen inches of this light, screened loam make what I call a live track bed, while most of the mile tracks have what I call a dead track bed.

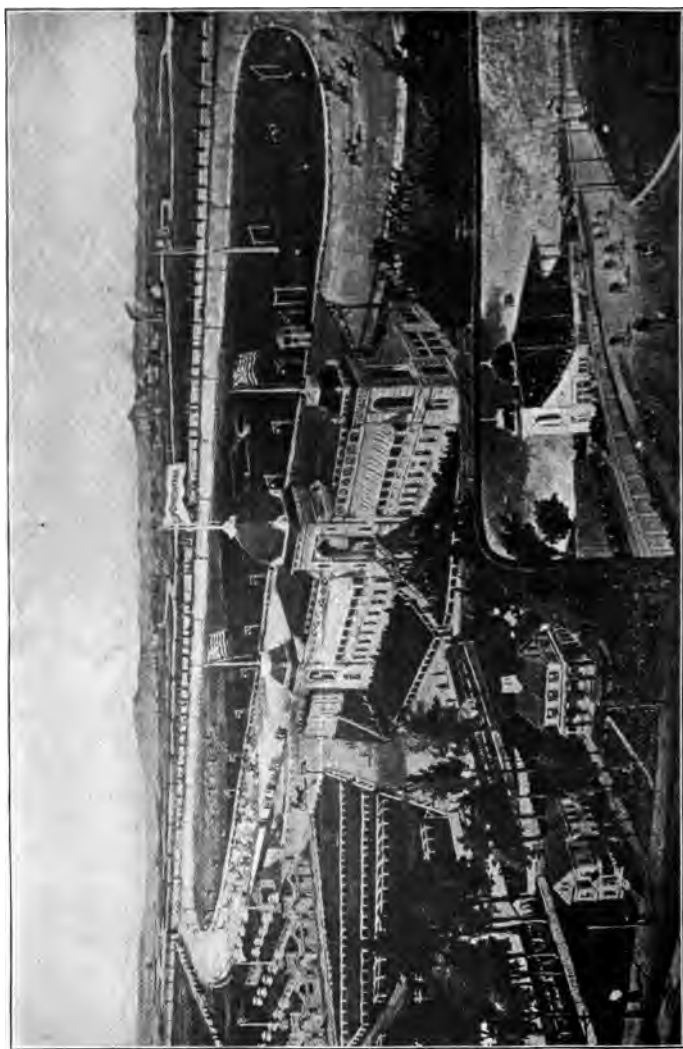
The favorable notices in turf items received by Mr. Jones since horses conditioned on this track have been raced, proves conclusively to me, at least, that my theory of track building is a success in Dover.

I built Combination Park in 1896, twenty years later than the Dover track. This track is as near level at the pole as possible. The engineer set the hub rail perfectly level, and when it met there was less than two inches difference. This track has a heavy clay dressing and all but the first turn is practically a spring-board, as it is built on a marsh soil varying from six inches to four feet in depth. Below this marsh soil is a solid clay foundation.

When the track was ready for use, many horsemen thought horses worked on it would be damaged in their feet. Experience soon proved that sore-footed horses worked out on Combination Park were greatly benefitted thereby. By using a proper fine harrow on this track after sprinkling fine screened sand, and having it properly cared for each day, you can keep as much of a cushion on it as you like, because the track is so wide and the turns so regular and perfect, in fact, it has all the conditions of an up-to-date half-mile racing track.



As Named by the Press "The Parlor Track of the World" Now Stands on this View.



The Parlor Track of The World,

If you are to condition a horse on a flat track, I believe a half-mile much preferable to a mile track.

Touching my track construction theories which were put in practice very carefully at Combination Park, I quote the following from the Boston Journal:—

“A few nights ago a number of horsemen were discussing tracks. A well-known expert said: ‘Gentlemen, perhaps you have not stopped to think of what that half-mile track that Tyler Hicks built out at Medford stood the week of the Elks fair.

“They had runners, trotters, athletics, bicycling, hose trucks, and to crown all, a battery of artillery working over it. Now there is no two of the lot that want the same kind of footing. Did you stop to think that a motor machine went over the track a mile in 1.34; that a pacer went a mile in 2.06 1-2; that the runners went halves around 51 seconds; and that they were all crowded so close together that no man had much of a chance to give the track a special preparation.

“I have seen all the first-class tracks in the country, but I would like to see one of them stand the wear and tear of that week and not need a dollar’s worth of patching when the thing was over.”

“When he got through every one sat thinking hard.”

Happening to glance at my scrap-book alphabet just now, I saw the following, by Moliere, which, as far as I’m competent to measure such things, is a good

illustration of some of my retrospect and query lines of thought. The writer was a Frenchman, as of course you all know, but he had some horse sense ideas. Here he goes:—

“’Gainst virtue in this world there is an endless strife,
 The envious die; but envy hath immortal life.
 If thou dost well, the envious will thy path surround.
 If thou dost better, ah, then, wilt thou them confound!
 ’Tis those, whose foolish conduct furnishes most sport,
 That foremost are another’s conduct to distort,
 ’Tis useless, against slander, walls to rear and mount.
 ’Tis best, all prattling fools to hold of no account.
 And in the utmost innocence to strive to live;
 And, to the world of critics, fullest license give.”

That’s a good bit of gumption, sure thing, and acting on a hint from it I’m going to say a word about my only son. He’s a good one; just like all fathers’ boys, a loyal one, and I call him a game one, too. He has been interested with me; he is Arthur Tyler Hicks, you know, as proprietor and builder of racing tracks, also secretary of the same, yet he has never bought or sold a pool ticket or any other form of a chance on a race, yet he has been persecuted “for righteousness sake” by the hippodrome of church imbecility, grafting sharks known as Watch and Ward folks.

I could stand up and take all those sneaks gave me, but when they touched my boy, my Ethan Allen got right up.

Why, when that combination summoned him to Malden court, did they not summon George H. Hicks, who was then manager of the park? Did G. A. Graves have his finger in that pie?

It is a well known fact that Geo. H. Hicks and G. A. Graves were in favor of heat betting; also, that they were favorites at the Breeders Track, the supporting influence of that famed-for-meanness meeting at Rigby.

Arthur Tyler Hicks is not responsible for the publication of this book or any word said in it, therefore my fatherly remarks cannot be charged to him.

Isn't it singular that men believe others interested enough in their lives to make books of personal experience even an endurable social infliction? Well, printers, platers and binders must live, therefore let's all swap books of experience. If we did, the sameness would be monotonous, except perhaps in the case of some truthful records of crossing lines.

Not a man on earth is responsible for this book but myself. Thus I state frankly in order that my business associates may not be praised or blamed for my sayings or the results of the same.

Why should it require courage to tell the truth? As I am sixty-one years old there is little left for me to do except to tell my experiences.

If the persecutors, etc., to whom I have referred, and others who are watching for chances to sneak money,

are now short of rope with which to hang themselves, I have a good coil left in my net which they may have at a moment's notice.

At one time I was in grave danger. I refer to the time when I was in the Watch and Ward "squeeze box" at Malden, under the fictitious name of William Tall. I am safe now, however, for I am with *The People*.

I have held on to the name my father and mother gave me, and will leave it unsullied for my children, who have so loyally, lovingly and ever unselfishly stood by JOHN TYLER HICKS, who says from his heart, "God save the Commonwealth of Massachusetts."

Going back to horse racing, I say, after a good bit of experience, to fairly test fast dirt on a track, it should be done with the same horse, at the same season of the year, with the same temperature and wind.

Joe Patchen went a mile over Combination Park November 3, 1896, in 2.04 1-4. His fastest mile over any mile track that season was 2.03. Cephas trotted a mile over Combination in 2.11 1-4. He never lowered that record afterwards on mile tracks.

"How pleasant 'tis to stand upon the shore,
And see the waves dash o'er the wreck outside !
Not that our fellow's woes we less deplore ;
But that 'tis not our ship — our ride !
What? Laugh? Are there no storms for my old age?
Alas, too many! And, ah — what is worse — my own?"

That's what Metastasio says in my alphabet, and reasoning from it I say to the readers of my book, how long will our present form of government stand if we permit the continuance of such conditions as actually debar men of experience from entering courts with cases, before they have made the people acquainted with all the facts concerning them?

I ask again, how long may we hope to maintain individual freedom of action if we permit our courts to allow millions of money and wrong, to oppress poverty and right?

If we do not as one man stand against the on-rushing horde of hungry office and money grabbers, then "will our storms be our own." Then will the spirits of Washington, Lincoln and all the noble men whose lives have been cemented into the foundation of our Nation, cry out:—"Faded is the flower we planted and nourished in the garden of Freedom; gone is Liberty; come has the oppression born of lust, of greed, of soul debasement before the idols, Power and Wealth."

How the evidences of political insincerity are multiplied around us daily, yes hourly!

The Boston Post under date of February 11, 1904, says when referring to matters in the Legislature:—
 “Ex-Mayor Johnson of Waltham, white with indignation and rage then jumped up and said:—‘I would not have the temerity to say that the Governor of this Commonwealth has maliciously made a recommendation to this Legislature. I am not here as an apologist of Governor Bates. He needs no defence—as honest, as pure as the sunlight of heaven, stands he before the nation to-day as one of the rising young men who are far above the tongue of enmity or enviousness and it is not worthy of the Commonwealth I live in, and I should hope to die with my tongue paralyzed if I had not the courage to repudiate before this public assembly the idea that my Governor, John L. Bates was guilty of a malicious, dishonest recommendation to the Legislature in his message this year.

‘That is what my friend Hogan of Lowell has stamped my Governor, and I hurl it back into his face, and I trust it is the last time my Governor, whoever he shall be, shall be stamped in a public room as having made a malicious, dishonest recommendation.’”

I tell you, friends, that’s an eloquent defence of a colleague such as Patrick Henry might have enjoyed, even if he could not surpass it. There’s a bit of oratory fit to be handed down to posterity through the medium of declamation books. Shades of Webster and Phillips, to say nothing of Cicero; that was a marker in the history of Massachusetts.

I am only a common citizen, not a legislator, yet I will have the temerity to ask a question of brother Johnson, for the purpose of keeping our beloved Governor in that straight and narrow path. Will you, brother Johnson, kindly give His Excellency the Governor the name of that person who was with you and your friend Chase at Malden, when you were pleading for that fine of twenty-four hundred dollars on William Tall? Will you state to His Excellency where you think the money would have gone to had I paid that fine imposed on William Tall? Will you also state to the Governor why that case was stopped at Cambridge? Your answers to the above will furnish valuable information for the voters.

Now brother Johnson, if you will tell the Governor the name of the person to whom the fine indicated above would have gone, I will furnish the Governor with the letters which he has already read, which will indicate that same person as being the man indicated by the late Edwin Morse as the man who handled the "squaring" money.

As I have had sixty years experience, you, Squire Johnson, have had seventy, and your friend Chase must have had near a hundred, such an amount of age and experience can, I believe, assist the Governor in getting out of "that hole," he said the horsemen were trying to put him in, and if we succeed we surely are strong enough to aid him in keeping out of deeper ones. Thus

we would unitedly be working for the best interests of the Good Old Commonwealth.

We are all human, Squire Johnson, yet I believe we will not err when joining hands to keep our Governor on the pinnacle to whose height you so eloquently raised him.

You horsemen who have been patiently sitting on the bleachers while I have been scoring to my own music, are entitled to first money, every one of you, for it is no soft job to sit on a plank and listen to wind. However, as you all know what it is to get in the harness room, snug up to a hot stove on a cold night, and to the music of tramping horses whose neighs seem to be applaudits for your truths, reel off yarns of how "Sam pinched Bill at the quarter, and Tom drove Jack off his feet in the home stretch," I know you will forgive me. To the others in my audience I say, very respectfully quoting from the books of the laws which classes men as they are, not as they appear to be:—"If it be possible, as much as lieth in you, live peaceably with all men, Be not overcome of evil, but overcome evil with good."

I guess the man who said, "Philosophy is the fruit of experience," knew both the text and the sermon. My philosophy surely is woven of ragged yarn from many men's lives, in which the warp of my own life has barely retained the pattern.

During the long contest connected with my Combination Park experience, I have often suffered as

did Culprit Fay, who more versed in language than I can ever be, expressed himself thusly :—

“Tied to the hornet’s shardy wings ;
Tossed on the pricks of nettles’ stings ;
Or seven long ages doomed to dwell
With the lazy worm in a walnut shell ;
Or every night to writhe and bleed
Beneath the tread of a centipede ;
Or bound in a cobweb dungeon dim,
Your jailor a spider huge and grim.”

That’s realistic, sure, but life fortunately has other sides. Man is himself until death.

Culprit Fay knew many things, in among which my scrap alphabet has the following :—

“Yet trust thee in thy single might ;
If thy heart be pure and thy spirit right,
Thou shalt win the warlock fight.”

Well, encouragement of any sort is welcome to all men who have been crowded in the scoring, and barely escaped the flag because of being bunched and broken up in the back stretch. I’ll bet—no, that’s against Squire Johnson’s rules—I’ll guess (that’s a safe expression) that if we drive fair on the track of life, trot to win every race and never mix up with heat betting the Judge won’t fine us for accidents, and I am *sure* he won’t ring in with “squaring the gate.”

Trusting Squire Johnson will brace that pedestal securely, I say, "God save the Commonwealth of Massachusetts."

A HICKS THEORY.

After watching the clouds distribute water,
I saw the sun collecting it again, hence,
I say, the mill always grinds with the water which has passed.

REFERENDUM.

Set and spring your own net or trap is a maxim, perhaps, a statement, surely, and as its application to this book has suggested a line of thought possibly at variance with my purposed meaning, I may wisely now, when the pages it identifies are being closed, define its application to life with more accuracy of detail than was done in the preface.

It is a simple maxim when stripped of figures of speech. Set your own net; spring your own trap; that is, be self-reliant, be confident of your own power, attend to your own business. It implies also a horse-sense comprehension of cause and effect.

I drew the illustration from a pigeon net. It applies with equal force to other nets, and nets in this illustration are not used to signify treacherous tanglement of things or people for personal gain, but as sononyms of the process of encompassing success in life, be it in art, science, commerce, letters or law.

My uncles knew the habits of the game they hunted and applied their knowledge to the process of capturing that game, depending solely upon themselves to accomplish the desired result.

The man who wins success in any field must first entrap or draw to him the habits of the business, profession or calling. He must patiently wait, study, labor, be tactful, and above all hold the operating machinery of his plans in his own head and hand.

To young men especially I say, after more than forty years' touch with the inside of business, do not depend on your family or friends to set your nets or spring your traps. Start out bravely; set your own net. No doubt you will blunder the first time, yes, for many times, but in the end, when you have learned the habits of the game you seek, you will win.

It is much better for a young man to be knocked over in a business he alone started than it is to be coddled along by other men's money, influence and patronage. Every man who develops strength must get into the fight and try himself out, sooner or later. If he gets his knocks early he is safe later. If he is hot-housed early, he generally goes smash bang to the bow-wows when trying to stand alone later.

No bank, no corporation, no government, no individual is successful in every move they make. Therefore, young man, if you are knocked out several times while training for the real fight of life, keep up your pluck,

learn by experience and you will come under the wire a winner.

Referring to the Governors, whose letters I have recorded herein, it is just to say that they, merely the puppets of a party, hedged around with customs grown to be accepted as laws, could not act as their intellects and consciences dictated without disrupting their party, therefore the positions they took in relation to the matters brought before them, may be termed as just such positions of necessity as all men must assume, who put aside independence of character for political preferment.

They stand as living lessons which all young men should carefully study.

Honor conferred implies doing what entitles one to be honored. So living, acting and in all ways dealing with mankind, so developing your powers and manifesting your worth, as to build yourself into a man in whom the people see one worthy and competent for the Governorship, implies honorably winning honor. To concentrate all your powers, conserve every act to the winning of place in a party machine which will raise you to the Governorship, implies traducing your soul.

Looking over my scrap book alphabet, I find the following from the mind of Heine, a German philosopher:—

“ Let not your pen escape, sir,
Lines like these, lest you be ruin'd,
Are you seeking gold and honor?
You must cringe and bow and scrape, sir.”

That fits the political devotee as slick as a sweaty coat fits a horse.

There is another race to be run off at this hour of our meeting, and the bell has called the horses ; therefore, I'll tell you how men may set and spring their own political nets and traps to the undoing of party politics.

Of course, I'm only a collie barking at the political sheep, but that's all right, and when we get a bunch of collies around the flock, we'll corner them for sure.

Now we are off! Republicans at the pole, Democrats on the outside, and the people blanketed. But the *people* will win.

Here's about the last sermon to be preached by the man on whom Reverends Barstow and Pierson emptied the vials of their denunciation. It's only a bit of horse sense, but that sort of sense used by the Colonists when they fired the shot which was heard around the world. Here we go. Every voter is bound by the law of self-preservation to take as much care of his share in public business as he does of his purely personal, private business, professional duties, or daily employment. Party politics has no lawful power to determine a man's right of ownership in, or his duty towards a municipality.

A municipality is not the property of the Democrats, the Republicans, or any other party.

In times of war the United States government looks to the individual citizen, without regard to his political affiliation, to protect the country from its foes. If the citizen will not answer the demand for his services, he is drafted, and compelled to serve in the army or navy.

If the State needs men to aid in suppressing riots, or other public protection, it calls for them and can demand service. If our local authorities require aid from citizens for the protection of municipal interests, they can demand and exact services from the citizens.

From these facts we prove the right of a central power to demand and exact service in protection of individual and collective interests. We emphasize the point of a Central Power, because without it we would be in a disrupting condition within a week.

We are what is known as a Republican form of government in which every man has a right to say to the extent of his ballot who shall rule in all departments.

Theoretically that is so, but practically the people do not directly choose or appoint their central power, which is vested in the heads of departments, life-time judges, and many officials coming under civil service reform provisions.

We then have a central power beyond the immediate reach of the ballot. What has resulted from more

than one hundred years' use of the ballot in the choice of elective officials?

Party strife, political intrigue, public plundering which has developed a horde of professional office seekers and tempted many men from the path of business honor into the road which leads to the sale of official privileges; political bossism resulting in the ignoring of individual rights and privileges in order that the boss might carry out his plans by appointing whom he chose, regardless of their fitness to the position which would yield them pay for services rendered, and him a commission for his personal enrichment.

Cities, towns, and villages are divided into clans by the ballot.

One faction must have their friends in office, the other faction will not submit, and then they fight among themselves until even churches are drawn into the disgraceful contest, and brother so-and-so must be reprimanded because he is a Democrat, or a Republican, or a license or a no-license man, or the brown church looks with unfriendly glances upon the white the blue on the gray, or we see around us the fungus growth known as A. P. A., or some other 'ism, whose vile hand will ultimately choke our panting government.

Shall we take from our citizens the privileges attaching to the ballot?

No.

Shall we demand and exact service of them at the time of official selections as we do in times of national peril?

Yes, and we have a lawful, not a political boss-given right to do it; that is *we* the people have a right to demand that we as individuals do our duty.

How shall we do this, or how could we?

Let the police be empowered to compel every voter to be present at the ward caucus, either in person if he be at home and well, or by proxy if he be ill or absent.

The citizens of the ward shall then *viva voce* elect seven of their number, more or less, according to the size of the community, who shall proceed as follows:—

Into a box shall be placed the names of all the voters in the ward, each on a separate slip.

From the box shall then and there be drawn, one at a time, by the seven or more men, four cards for each of the officials to be elected from that ward, and four for those to be elected at large.

On the election day as appointed by law, the seven men, more or less, from each ward shall assemble at a central point with the ward boxes containing the cards previously drawn, a list of the names on which shall have been printed and posted in the central station notifying the people from whom their officials are to be drawn for the ensuing time, just as a jury list is posted.

Suppose there are six wards represented by forty-two men.

The forty-two men then act as scrutinizers, and the chief of police shall draw from the ward boxes as many cards as there are elective officers from the ward.

All the boxes are then emptied into one large receptacle which is to be thoroughly shaken, and from it shall the chief of police draw one card for each of the elective officers at large. Then shall the chief of police draw one card from the large receptacle for city clerk, auditor, treasurer, tax collector and the several assessors.

Then shall the officers elected as above noted—or to be more practical as the case will be viewed—the officials who have been drawn to serve the community, assemble together and each shall name his choice of all the citizens for mayor.

The names spoken shall then, not previously, be written on cards of equal size and thickness provided by the clerk then in office.

Said cards shall be scrutinized by the chief of police and all elected officers present, then be put in a box, shaken up, and from them shall be drawn one, by the blindfolded chief of police, and the name on that card shall be the name of the mayor elect.

After the city government is organized, all official appointments shall be made by drawing from the names of all citizens, one for each place.

We hear now remonstrances against our plan.

A wise man who is now a provider of place at the public crib for needy men and his many needy satellites

cries out: "What a wild scheme! How will you determine the fitness of the men for the positions they are to fill? No, no! Such a method must not be adopted. We must look over our men before election and select competent candidates from whom the voters may select our officials."

"Vanity of vanities," saith the preacher; "all is vanity."

Never truer was that saying than now. How do we determine the fitness of a man to serve the city in any office?

We answer, or I do, the Readsboro boy; how do you determine his fitness to cast a ballot?

You place the loaded ballot in his hand. He fires it as he chooses, let it hit anarchy or whatever it will.

If he is competent to vote for, and thereby help to elect one to perform the municipal work, is he not equally competent to perform the work himself?

Reverse the argument.

If he is incompetent to perform the duty of, he is not fit to vote for the city official.

Where in the law's ramifications do we find men called upon to decide the most delicate questions—questions involving property, rights of men, happiness of families, and even life itself?

In the court rooms.

How are those men chosen?

Do the political bosses select them?

Do the people cast ballots for them ?

Are they chosen because of allegiance to any person, party, creed, or 'ism ?

No.

Their names are drawn from the jury list, and thus every citizen from the highest to the lowest in mental power, from the humblest to the most exalted in the world's esteem, lends his intelligence to deciding questions on which rests the life of our nation.

We know this argument will be considered an Eutopian scheme, as was my opposition to heat betting, because it is not in fashion any more than the colonists' rebellion against the tea tax, the stamp act, and the eternal writs was in fashion.

We know again that this is my scrap book alphabet records ; what history has written out of the lives of people and nations — what all men may read : —

Such corruption as exists among the lower element of politicians must develop a harvest of revolution.

That last statement, together with my suggested plan for drawing officers, I submit as a suggestion, which in the ordinary course of human evolution of ideas will, I hope, lead to discussion which shall aid mankind in getting back from the unreality, the insincerity and the instability of modern times to the clean, wholesome, stable and Christian methods of those days, when manhood counted for more than wealth or "political pull."

That was my mother's teaching, and beyond that she said:—"There is now ruling over us the same God who tangled the tongues of men at Babel, the God whom men may ignore while acting the part of black-mailers, snakes, spies, thieves, etc., but whose laws are immutable, whether you heed them or not."

All the green slopes of my mountain home tell that story. The cliffs rising up from the valleys, the meadows running down where the river sings, the peaks reaching up to catch dew from the clouds, the birds there, the trees in which they nest, all repeat it, as does the water's anthem roared over the falls.

To you who have read my epitome of facts, my chronicle records and my museum of ideas, I say breeding sets the price for and pace of a horse.

"That's an old story," you answer.

So it is, but it illustrates a point about humanity.

If you start a boy where mountains, rivers, forests, birds, animals and Nature's great corps of teachers are his instructors, that boy will come out all right if he was bred from and reared by a true man and woman. But teach him to avoid party politics as he did honey pots in the meadows. Party politics was created with the Devil's earliest works, and he, the boss of bosses, looks out from the "house of pulls," and roars with delight every time he sees a man caught in the net of political patronage.

I might allow a boy to take up the work of a minister, although recommendation to do so would be withheld because I am incompetent to define the road to salvation.

All men know the forms for worshipping God are as diversified as are the natures of men. There are needs for creeds just as man requires different styles of houses. The latter are for living purposes, no matter what their shapes may be. Creeds are for the moral advancement of mankind, no matter what their 'ism may be.

Some men need a bass drum and tambourine to touch the cord which binds them to a higher life; others can best be reached through an iron-bound church rule, while there are many who reach out from the inner man up to the Father purely and strongly in the forest or among the mountains. Every man can touch the higher life in some way, and, looking towards that end, teachers who confine themselves to religious topics have a place. However, as I'm not an angel, it ill becomes me to point out a way to the land where Watch and Ward Society folks will be out of jobs, because of the shortage in graft.

As a point illustrating the inaccuracy of some, at least, of the guides now given for a road to the "better land," I enter the following, which, since man has not a scrap of evidence to prove the impossibility of spirit isolation, may be as true as are many recorded phenomena.

A young man from a Baptist family in Pownal went to India, where he grew up in business, waxed rich and remained until he was fifty years old. Returning to his native town, he purchased a farm and settled down to pastoral life.

Naturally the rich Indian merchant was a prominent figure in the community, and with equal logic the people of his early adopted creed made an effort to bring him out strong in the church. He, however, held back from religious matters; in fact, he assumed an attitude towards such matters which caused the good people to worry about his future, to class him as an infidel, and gradually to look upon him with a suspicion that he had brought from the East a moral taint to be feared.

Anxious for his wandering sheep, the pastor of the local flock went one day to argue, exhort, to plead and to pray with him.

The ex-merchant was attentive, considerate and kind. With his incisive arguments he perplexed the parson awhile, and then said, while a peculiar luminosity came to his eyes: "I have drank from the mental fountain of those men who were old in learning before the birth of that era which encompasses all the creeds of modern days. I have the power to temporarily leave my human home—the power to take myself, that is my soul, away from earth—and visit the other land. I also can impart to a recep-

tive, responsive soul a sufficiency of that power to enable it to begin to learn of the life which is not the life which appears to be. I know you are one who can go on to the higher life even while you are known as man, and I will place you in control of the 'spirits of life,' if, after you have journeyed once into the place you call the other land you will promise to accept as your guide to heaven what is taught you there."

The minister was young, naturally of an investigating turn of mind, and more, although not then aware of it, was completely in the ex-merchant's power. Grasping the latter's hand, he exclaimed earnestly, "I am in search of light, therefore I ask you to lead me where that light may be found."

"Call a meeting of your deacons for next Monday night in your vestry. I will be with you then. Until that time you will be in my power." Thus said the ex-merchant, who then escorted the preacher to the door.

The sermon was unusually brilliant the following Sunday, and the deacons had a suspicion that the meeting called for the next evening might be preliminary to the minister's asking an increase of salary, or his resignation, since he had recently received a call to a city church.

At the appointed hour the church officials were all present, and as the minister's guest, the ex-merchant. Taking his stand at the desk, the preacher began a declaration long to be remembered in that community.

"Bretheren," he said, looking not at them, but fixing his eyes on the ex-merchant, who sat a little apart from the officials, "I have taught you the tenants of your church, which heretofore has been my church. Now I will tell you what I have recently learned about all creeds.

"Entering into details as to how I gained power to learn facts about to be told, would be futile, because, with full respect for your learning, you could not understand them. Sufficient let it be that I say a power was recently loaned me which permitted my spirit to leave its human body and visit the world called 'unknown.' "

The deacons looked from one to another in astonishment, and one was about to put a question, when the ex-merchant said: "Let him go his own way. These students certainly must be in touch with sides of life unfamiliar to us."

"True," responded the preacher. "And while I would ordinarily be glad to answer all questions put to me by the deacons, I must at this time ask them to hear me silently.

"My spirit went to that section of the universe where humans are unknown in form, yet are known by characters and their earthly names.

"That land is fair, a place of peace, and there, without regard to creed, I found all those who had, as we term it, died among my acquaintances, friends, and relatives. I learned from them that entrance to their

abode was free to all who, when questioned by the Great Spirit, promised to renounce the creeds of man, accept the condition of living on as they had developed on earth, and promising to abide in peace with all there.

"I should have said the clergy among my friends were not in the land of peace. They, with tens of thousands of others of their cult, were assembled at a point from which they could view the promised land, but were debarred from entering there, because, wedded to their creeds on earth, they carried on the discussion in the spirit land, each claiming the other wrong, and none being willing to accept the Great Spirit's creed of 'As ye would that others should do unto you, do ye even so unto them.'

"Brothers, I must cease teaching that the road to heaven runs through the confines of a creed; therefore, asking pardon for unintentionally misleading you in the past, I now resign my commission as a preacher, not only here, but in all places."

Then up rose the ex-merchant, saying :—"He has spoken with the wisdom of religious philosophers, who, thousands of years ago, built the moral foundation on which man stands to-day."

As this chapter of facts just referred to the people has a rather prosey sort of a spirit, let's join hands and go back to a bit of real Vermont life, a chopping bee. In them was an inspiration never forgotten by those fortunate enough to have been born within sound of the forest's voice.

Chopping bees? Well, yes, they came within our early vision of farm life. When the ten-acre lot was big enough to cut for mill, father dropped a word along the line to the neighbors that on Monday week we would look for them to arrive, for the bee to begin on Tuesday, and last "till not a pine was on the stump in that piece." Now began the roaring of fire in the big brick oven. Now commenced the mixing of Indian pudding and filling of pumpkin pies. Pies! Well, mother and sisters and the hired help rolled out pie crust enough—it seemed to my eyes—to reach around the world. Mince meat! More than a barrel was made. Beans! Bushels were put in gallon crocks, with just a toothsome bit of pork on the top to drip its savory juice down through them as they softened and browned in the oven, full of the odor of burned pine and spruce. Long tables were put in the woodshed, and pies, pies, pies were put there to cool after having ripened under the hot brick dome, and flanking them were the luscious puddings, a sort of piece-de-resistance, guarding the delicacies pent up in the flaky crusts.

A steer was contributed to the provisions of the campaign and roasts, toothsome enough for the most fastidious epicure, got ready by mother, who knew just how many turns of the spit were needed to do a morsel fit for a king.

From down the road, up the road, over the meadows and mountains, came our neighbors to the bee. Thirty lusty, manly men, with their wives and daughters to help make merry. We cleaned out the big barn floor, made up benches, covered with sweet hay for the men's beds, and mother fixed a corner somewhere for "the girls." Tuesday morning, after a hearty lunch, while yet the moon was shining, and stars dotted the sky like electric sparks coming through the deep blue, we were up and away. Thirty men of Vermont, sinewy as the hornbeam. Thirty keen axes gleaming in the cold moonlight. Thirty pairs of snow-boots crunching over the crispy crust. Thirty sonorous voices ringing,

Away! Away! to the piney woods away!
Quick will our axes hew the scarf to-day;
Fell the forest kings is our refrain,
Until the wooded arches ring again.

Brother and I brought up the rear of the column, each lugging two gallons of coffee and cream in jugs. Uncle came along behind us, with the steers yoked to a bob-sled which was loaded—yes loaded—with jewels from the oven-mine. Father divided his forces into divisions of fifteen men each, one to work up the lot on the outside, and the other down. When each man had got his tree he struck the first blow, and then to the music of ringing steel against gummy knots the

chips flew in rhythmic showers. I can hear the forest now echoing that rhyme of steel cleaving wood. No words can express it, but it made every leaf and bough quiver ; drew the strings of each man's nerves so taught that the axes flew up and down, deep into the slanting scarf. Up again, shining in the moonlight a second, then deeper yet into the heart of the pine, which was loading the air with the odor of its life as it began to totter towards its service for man. Almost to a minute each man had his tree on the quiver, then with a ringing shout, "Stand clear!" jumped back as the thirty-one pines bowed their green tops to earth with a mighty crash—a cry as it were—at giving up their lives to men. No time was lost. Other trees were attacked, and so on until noon the clip, clip, clip, and crash resounded through the wood. Then the jewels from the bob-sled, which had been unloaded and kept warm on rocks heated in a big fire of logs, were dished out to the hungry choppers, who made seats and tables of logs. We boys were not forgotten, and there amid the resinous woods in a shelter of pine boughs, whitened with snow crystals, we ate—no that was not simple eating—it was feasting the body and mind; drinking the strength of nature by men who were so near to the mighty pines in their hearts and bodies as to be one of, and from them—great, noble, soulful men.

Evening came to us only when the sun dipped below the glistening ice of the river yonder over the

bluff. Then we tramped home. The choppers, weary, yes, but not weary, because their hearts were light, and the warmth of loving home greetings awaited them.

Four days the forest rang to the music of the choppers before the last pine was brought to earth. We got through in the woods Friday, soon after dinner, and hurried home to make ready for the round up of the week's labor in a dance.

The big barn floor was swept, garlands of winter-green hung around. Cy Hudson tuned the fiddle which he brought from Pownal, he wasn't asked to, oh, no! he knew it would be called for. Soon all the choppers, the wives and daughters, men for partners women for partners, joined in a dance. Even the parson came over, "thinking he might see some of his parish there who hadn't been to church lately." That may have been his sole reason, but we reckon the odor of mince pie and Indian pudding must have been wafted to him by the west wind, and that his fun-loving spirit—they said he was once quite a boy—must have prompted him a bit, for he ate a tremendous supper, and then, when Cy Hudson was rosining his bow, began to step around briskly in the corner where he was chatting with mother, and soon he was doing the dance with her—single-step, double-step, and all the steps as friskily as the gayest there.

The dance went on until midnight, then the weather being fine, one by one, two by two, our chopper guests went their homeward way, leaving behind them, taking with them, a memory, a part of life which, woven and interwoven with like threads of the warp and woof of New England character have made character which permeates our land for the uplifting of all its citizens.

Chopping bee! Will I ever forget the days? Never, while memory can place before me a shadow even of the rushing pines as they fell to the rhyme of glistening axes.

Illustrating a phase of character widely different from that borne by the men just referred to, I tell a story of the world as follows:—A gentleman returning from a banquet occupied a seat in a trolley car which was full of men and women, some standing. One of the women standing was evidently physically weak, yet no man had offered her a seat.

The gentleman who had dined and wine sump-
tuously watched the weak woman intently. a few minutes, and then by working his hand up the side of the car for support, managed to reach a strap. When with swinging motion he raised his hat to the woman, and pointed to his seat, a man who had been standing, calmly took possession of it.

The gentleman seemed hardly able to realize what had happened, at first, but at length the matter became clear to him, and steadying himself with both hands in

the straps, he faced the man, saying: "I'm full—awful full—but I'll get over that. You're—a blanked hog and will—never get over that."

A lawyer who holds a certificate to the Massachusetts Bar Association representing him to be in good standing, and yet knowingly and intentionally wrongs and deceives his client in court by mistating the meaning of such law phrases as *nolo contendere*, *non vult*, etc., and who receives from his client unreasonable prices for such service; a lawyer who places a false record on the books of a court, and thus shields grafters and blackmailers, is by nature and intention bad, and will never get over it. He should be sentenced for life by the farmers' and people's party to the secure place described in my dream recorded in the last pages of this book. Farmers and true men do not care to be deceived by professional rogues, but I am sure the farmers would enjoy feeding their refuse products to that class of human excrement.

YOUTHFUL SELF-IDENTIFICATION.

That was a peculiarly significant day to me, when, proud of my two Newfoundland dogs, their harnesses, the buggy to which they were attached, as well as the fact that I alone of all the youths in the country around possessed such a team of trained dogs, I was under the ban of all our neighbors, and worse, a million times worse, was looked upon disapprovingly by my mother.

Thus came the social ostracism, the maternal censure. Perhaps it resulted from the trading instinct of a lame vender of cutlery, who came our way from Shelburne Falls with himself and his wares occupying the very buggy and drawn by the very dogs I was so proud of.

Mother owned two cows when the merchant pulled up at our place to barter knives, etc. When he departed those cows—our only source for milk and butter supply—went with him, and I startled mother with the information that she owned the two 140-pound dogs, together with the harnesses and the buggy.

It seemed to me reasonable that she would be proud of such a team of "Black Beauties," those intelligent, strong dogs whose breasts were starred with white. But she wasn't, and I saw tears in her eyes when she said, "Tyler, what have you done? What have you done?"

The neighbors thought I'd done enough to justify my becoming a reform-school patient. However, mother didn't quite agree with them. (I think she did wish I might be put in a place where common sense would be available as a daily diet.)

Well, young as I was, trading had been taught me by the past-masters in the art, and I was sure the dog team would "cash in" more comfort and prosperity for mother than the cows they cost. Yet, I said little, beyond inviting my brother to join me in a trip to

Pownal on the next day, holding out as an inducement a ride behind my dog pets.

I did dare the neighbors, a bit, however, for arrayed in a linen duster, a "plug" hat, together with a fur collar, (one of my trades, of which I was very proud,) I showed myself and team up and down the road.

Well, that display of youthful vanity being welcomed as an additional evidence of my depravity, in no kindly spirit towards the scoffers, brother and I got away, after my show clothes were housed.

Mother was ever so kind (dear old mother, she never was otherwise,) but she asked me anxiously, "what wild scheme is now in your brain, my son?"

"Going after some new cows. Don't worry. I'll turn up all right. Watch out for a whole drove of critters, about to-morrow night. We're off, so good luck to you," I answered bravely enough, feeling a twinge of regret for the tears I saw on her cheeks.

Away we went, two chums, two dogs, a dandy buggy. Hi there! Gee-up there! Away we went, the envied of all our boy companions.

Those dogs could go, too. They were as handy a team as any pair of horses in the State. Not troublesome to care for, either, for when fed they only required a quart or so of dry corn meal.

I guess the trip over Florida mountain should be told, as a morsel of spice, you know, a tid-bit of adventure.

We got up the slope all right, and after resting the team, made a drag on one hind wheel and prepared to go down the other side.

"Say, brother! Want to see them go?" I asked when we were rested, ready for a start.

"Let them go, I can ride as fast as the wagon runs," he answered, bracing himself in a way to throw his weight against the twist which would come in our trip down that cork-screw wood road—that road over hummocks, around boulders, and along the edges of chasms.

We started, yes, and we went. Like dogs in full run of a fox, that team went, in answer to my encouraging words.

The buggy swayed and slewed like a sled on ice, but it kept right side up in spite of my brother's frequent assertions that "we'd be smashed into smithereens."

When we were on the curve which permits a view of the road a half-mile below, to my dismay, yes, almost in horror I saw a horse lazily dragging an empty wagon up the slope, and behind the team one of our neighbors, plodding along, swishing the brush with his whip.

"Stop 'em! Hold 'em up, Tyler, or we'll be killed!" exclaimed my brother.

The advice and prophecy were in line of logic, that's a fact, but stopping those dogs was another affair.

I'd hardly thought the thing over, when, rounding a boulder, we came in full sight of that dreaming horse.

He saw us, too. Gum and molasses! Wasn't he scared? Up went his neck as if it was a rubber hose lengthening out. He planted his feet straddle-wise, looked at us, snorted, and before I had time to laugh at his comical appearance, around he turned, yanked the forward wheels clear of the wagon, and away he went down the mountain, dash, bang, clatter and roar, with the dogs yelping behind the bounding wheels.

When we rushed past that farmer his hair stood right on end, his hat tumbled off, and he exploded a running fire of sulphurous words which made the air smell of the other place.

Brother laughed fit to bust, and I wasn't much sadder, though guiding those dogs taxed my nerves a little.

Safe at the level below the mountain we rested the team a spell and then got away just in time to avoid the farmer, who whip in hand and maledictions in mouth, came at a run in search of his horse, which with more speed than he'd shown in twenty years was dusting down the river road.

What that farmer reported to my folks when he reached home I won't enter here, except to say it was not a recommendation for me to enter the ministry.

When passing up the street in Pownal, we saw Squire Whipple, his wife and their crippled son in the yard, the latter being prepared for a ride in his wagon, which was drawn by one yellow dog.

I "chirped" the team then, sat erect with whip in hand, and we passed the squire's place in great style.

"Seems to me you're showing off," said brother.

"Only fishing — that's all," I answered.

"Fishing! Can't catch fish in the road. Owning this team has turned your brain, I think," was his answer.

"Watch me," was my answer, as we turned into the tavern yard.

Those dogs were trained to lay down in the harness whenever the driver left them. I then spread their rations of meal on a blanket, patted their heads, bade them keep quiet, and then went into the tavern, and from an end window watched the road.

"Fishing now?" asked brother, coming to my side.

"Who're those folks coming?" I replied.

"Why, Squire Whipple and his family, dog and all," he replied.

"All right, watch my line," was my reply, given with a chuckle, you may be sure, because the squire was the fish I baited for when trading mother's cows for the dogs.

Pretty soon the squire came in, and giving me a hearty greeting, asked, "do you own those dogs I saw you driving?"

Following my affirmative answer, he asked, "do you want to trade them?"

"They suit me first rate ; are just such a team as I've been looking for," was my reply.

I knew he wanted that team for his son, and was also aware that he bought a thing, if he started for it, if a reasonable price would fetch it. With those facts as a basis, my mother's son started in to redeem his reputation.

The squire's boy tried my team, the whole family fell in love with them, and the result was they got my team, I got a new Iver's buggy, the yellow dog team, and a good wad of bills.

Brother began to see then what he saw more of before we got home.

We returned by the way of North Adams, where, having no use for the buggy, that was traded for other dicker.

Well, we moved along, stopping only to eat and trade, with the result that when brother rode into the yard behind that yellow dog I followed, leading and driving a pair of yearling steers, two first-class cows, a good sort of a colt, together with a sow and a litter of pigs.

"The dogs caught 'em," I answered, in reply to mother's wondering inquiry, "where in the world did you, Tyler Hicks, get all those critters?"

That experience routed my critics.

I would not have mentioned it at this time had it not suggested itself to me as a good illustration of the fact that accidents will happen, even in passing judgment on our neighbors. Further than that, there are many people in and around South Readsboro who know the story to be true, and thus I am relieved from the suspicion of manufacturing a story for self-praise.

Perhaps the line of thought running through this story may suggest a connection with the lesson I learned at the "pigeon catching," as well as the title of this Means and Method book.

Wait a minute before turning this into a chapter of the past. A bit of a boy running down the street just now with a toy gun suggests memories of days when Readsboro boys had real guns, and this reminiscence comes among those memories.

I guess we were all between the ages of eight and ten years, stubby chaps, slim chaps, and all sorts of chaps, when twenty of us formed a hunting club, and agreed that the side producing evidence of killing the most game during the spring season should eat a July 4th dinner with, and at the expense of the other side.

Ten boys on a side was the line up, and this was the manner of counting points. A chirp squirrel's tail,

25 points: woodchuck's tail, 50 points: pair of crow's legs, 50 points, and so on, including what was listed in that wilderness as wild game, each trophy to be from fresh-killed prey. A boy said, "bear's tails shall count 500 points." That was agreed to, especially as some of us knew a bear with a tail had not been seen in our woods.

Well, the hunting went on at a killing pace. If our mothers escaped death from worry then it is to be credited to the fact of their deciding such boys with guns were as safe as they would be without them, because they were bound to be "into some dangerous mischief anyway."

On the day appointed for the counting one side was found to possess of squirrel tails alone sufficient to bury the other side. Then, of course, the defeated ones told how they didn't win, much after this style, as narrated by a boy called Tyler. "You see, fellers, the farmers round our place objected to my killing their squirrels, but would allow me to shoot their tails off. Do you think that was a soft snap?"

"Course 'twas," said Goodale. "I could shoot tails off squirrels any day."

"P'raps you could just as easy as some feller I know got his side's tails," responded Tyler, who then proceeded, supporting his eight-year old dignity by leaning on his musket: "I got the fellers to shoo the squirrels up and drive them down to the open field,

and then, when they skipped for the other woods, I just popped their tails off at a great rate, and I've got more fresh tails than Goodale has," I'll bet a pint of peanuts."

"What yer hintin' at?" asked Goodale, spunkin' up and rubben' his shoulder on Tyler's.

"Hintin' at nothing," asserted Tyler. "I'm knowin'. Say, fellars, just smell of those tails, will you, and verdict as to whether they're fresh shot or Goodale thinks we're fresh?"

Our side smelled the trophies and "verdicted" to the effect that Goodale's party had been plundering. He stoutly defended his party's honor, but Tyler overthrew them, saying "Case had a shoot over at Readsboro Pond, that we all know, and I know Captain Goodale and his privateers stole those tails, because I saw them at it."

Of course we had a fight to settle that affair, and one side licked; which I won't say. But that dinner! It was a greater success in our eyes than any fashionable banquet has been to me since. We each had four crackers and two sticks of striped candy.

Three cheers for the Vermont boys! ! !

LOOKING TOWARDS MY WORDS FOR THE PEOPLE
OF AMERICA.

“Never stoops the soaring vulture
On his quarry in the desert,
On the sick or wounded bison,
But another vulture, watching
From his high ærial look-out,
Sees the downward plunge, and follows,
And a third pursues the second,
Coming from the invisible ether,
First a speck, and then a vulture,
Till the air is dark with pinions.”

The above is from J. T. Hicks' scrapbook alphabet. Doubtless all the readers will place it to the credit of its immortal author, who, among all the bards who have sung to me, sings nearest to Nature's heart.

HERE I SPEAK FOR THE PEOPLE OF AMERICA.

Experience evidently prompted our beloved President McKinley, when in almost his last words to the people he served so loyally and wisely, he said at the Buffalo exposition, technically known as the Pan-American:—

“Much will depend on proper protection to the inventors of patents for future success,” (evidently implying encouraging infringers of patents and manipulators who play with the intention of patent law, to be a dangerous procedure.)

If so wise a man as President McKinley considered it his duty to warn the people against permitting practice which would in any way diminish the value of our patent laws, it surely is important that the reader of this book, and the public in general, be made acquainted with some of my experiences having to do with patent claims as allowed at Washington, and the parts played by rogues who do not intend to leave their track for identification.

I will speak only of cases concerning which I can furnish acknowledged proof as to the evident motives and intentions of those whom I herein class as infringers ; to my mind the worst specimens of intentional infringers ; one, a millionaire made so largely by my invention ; others, walking in the shoes of men who made them rich, and are so minus of wisdom as to willingly disgrace the shoes they are now walking in, by trying to step into the shoes of a living man, one who has dealt justly by them, an inventor of small ideas.

As one who has had over thirty years of active experience, and for the last ten years a very intimate acquaintance with waiters and employees of hotels and restaurants, I do not hesitate to say, that in all that period I fail to call to mind one employee, I think so unmindful of others' feelings as the men the following correspondence will indicate, whose lives and financial records are an open book in New York City, with their great ideas, the same as mine is in Boston, with my small ideas.

AMERICAN.

When persons appropriate the sacred name of our country to their use, they have no moral right to disgrace it.

A great American Auditing Company, which solicits adjusting of accounts between individuals, can hardly afford to knowingly assist and take part in the acts of intentional infringers, especially if they wish to be classed as reliable.

The above referred to company, is the one Mr. Elmer Darling of the Fifth Avenue Hotel said advised him to use the Kuhn System. Record correspondence on that point will explain, later on.

In as much as thousands of people each day are being deceived and misled as to the actual facts of merit in the checking system used in the hotels I will refer to, a system carrying with it a name that has no place with, or right to be attached to what is so well known, the Hicks Method; the data of which has been so fully explained in this book, a system which makes plain when, where and how, and by whom it was started; let these intentional and wilful infringers give the same data as to when, where, how and by whom their scheme was started, and show one particle of record value their scheme contains, except what they have copied in full from the Hicks Method. They have even copied the fixtures used by the Hicks Method—

well, they have tried to pull their hole in after them, but the string to it broke.

As a citizen I claim the right to help assist the company owning my patents in making the public aware of the actual facts, in place of what has been reaching them.

The reader will notice the net is now set for millionaires and naturally will wonder how many will escape, also, if the net will be strong enough to hold such big game.

New York, Oct. 31, 1901.

MR. JOHN T. HICKS,
The Hotel Security Checking Co.,
No. 1350 Broadway, City.

Dear Sir:—"Since my return from the country I have been compelled to look pretty thoroughly into the checking system, and find the complaints made by our people that you duplicate your blanks frequently, and that we have been compelled to employ a special man to go over every bundle of checks. I have, therefore, given orders to discontinue your system beginning with to-morrow, November first.

Yours very truly,

GEORGE C. BOLDT.

October 31, 1901.

MR. GEORGE C. BOLDT,
Waldorf-Astoria, New York City.

My Dear Sir:—Yours of this date, notifying my company you will discontinue the use of the Hicks Method on November first, reached this office at 12.30 P. M.

I trust you will pardon my calling your attention to the last conversation we had, (at the time you were considering the Lock-Stub System), when I explained to you the facts as to the validity of their patents. I understood you to say you would make no change in any event until I should have a sufficient time to explain my side.

It has been unfortunate for my company that your controllers have been opposed to the Hicks Method since its installation in your house, which fact speaks well for the method, as it has stood the hardest test possible. The only complaints ever received from your house have been on account of errors in printing, and very few of them. I only call to mind three since we have been doing business with your house. This, considering the large amount of consecutively numbered printing furnished you, is extremely small. At the time of the last complaint from your house in August last we brought our foreman from Boston to look the

errors over with Mr. Kuhn. The errors shown at that time were on an old shipment of goods under date of July twenty-fifth, nineteen hundred ; October first, nineteen hundred, and December fourteenth, nineteen hundred. In explanation of these errors, I would respectfully refer you to a letter from this office to Mr. Hilliard under date of July eighteenth last. Should Mr. Hilliard have mislaid this letter, I shall gladly furnish you with copy should you so desire. Is it not possible that some error might be occasioned after the supplies reached your house?

My experience is, if controllers provide their own method or system of checking, complaints never reach the proprietor.

We have at present two customers who are doing their own printing ; others have tried this change of doing their own printing, but not having been satisfied with their own experiment, came back to us.

I wish very much, Mr. Boldt, you might keep intact checks, sheets, etc., as used in your house to-day under the Hicks Method, and at the same date in the near future a day's business as used under the system you contemplate using. Then, for your own satisfaction, be an eye witness to the auditing of both, this company to supply the auditor for the Hicks Method, the other to be audited by whoever you select. If there is a safer or more rapid method for the proprietor

than the one controlled by this company we are as anxious, Mr. Boldt, to learn it as you are.

Shall we remove the fixtures at once, or leave them until you have a chance to decide as to the value of your new system?

We shall be very sorry to lose you as a customer.

Thanking you for past favors and awaiting your reply, we remain,

Very respectfully,

Hotel Security Checking Co.

JOHN T. HICKS, President.

November 1, 1901.

MR. GEO. C. BOLDT,

Waldorf-Astoria, New York City.

My dear Sir:—When I returned to my office I found I had neglected to leave with you, copy of Mr. Hilliard's letter; also the sworn statement I had intended showing you, regarding the Lock-Stub Company and how it was started. As this is the original, I wish, after reading the same you would return it to me.

I hope, Mr. Boldt, you will delay making your final decision, until you are fully satisfied in regard to the part Mr. Kuhn, Mr. Woodworth and Mr. La Frantz, have taken in starting a checking system in places other than yours. I sincerely hope they will not be allowed

to lead yourself and this company into trouble. I do not believe you will allow them to make a checking system out of the Hicks Method, as the Lock-Stub people attempted to do, in any event, until after you and I, with our attorneys, have carefully gone over both sides of the case.

A checker has come into the office and reported to me the change in your house this A. M., and if his report of what you are doing, is true, it must be an infringement on the Hicks Method; you will remember you told me you had no desire to infringe, and I believe you will agree with me, that the delay suggested is advisable.

Inasmuch as you have never received a complaint against the Hicks Method, only complaints of errors in printing, and as you must be satisfied that in the Hicks Method you had the most perfect one in the world, and as you can do your own printing or have it done by any one you wish, why should we allow any one to draw us into litigation on such an important matter as this would be?

Yours very truly,

HOTEL SECURITY CHECKING Co.,

JOHN T. HICKS, President.

November 1, 1901.

MR. GEORGE C. BOLDT,
Waldorf-Astoria, New York City.

My Dear Sir :—I am sure you will agree with me on this point. It is always best to take plenty of time to decide so important a matter as this is to your house and to my company, that you may know all the actual facts as they exist before making your final decision.

It has occurred to me since returning to my office I would make this suggestion to you, that in any event before you make the change my attorney may have an interview with yourself and your attorneys, that they may know our side of the case. We own in all at the present time, nine patents and more than that number of copyrights. Inasmuch as you have notified us of your intention to change, it will cost you nothing for the use of the method for the next two weeks. I neglected to leave the copy of letter sent to Mr. Hilliard, so I now enclose the same that you may have it to refer to when you meet heads of departments this P. M. You will remember our conversation the time I talked with you on the Lock-Stub question. I also enclose you a copy of a sworn statement of Mr. G. H. Gill, and as this is the original and the only one I have, I wish after reading the same you would return it to me.

The Lock-Stub Company has been doing practically no business at all, and the few customers they

had started had no knowledge of the Hicks Method and they had gradually been coming back to us. For this reason we have not commenced any action at law against them, and for another very important reason this company have not a fortune to spend in law suits, and I have heard of the National Cash Register Company to spend a hundred thousand dollars in one case.

I cannot believe, Mr. Boldt, you are going to oblige me to have a law suit with you to protect my business I have worked eight years so hard to establish by allowing persons in your house to perfect a system practically the same as the Lock-Stub Company have done from the Hicks Method which has been in your house.

I know you will pardon me for writing you this letter, as you must well know my only motive is to make plain to you there is no reason why there should be any friction between your house and this company, as you know there has never been a complaint against the method, they have all been on account of errors in printing. The principal complaint was our fault, and admitted to be, and a good reason given for it.

Yours very truly,

HOTEL SECURITY CHECKING Co.,

JOHN T. HICKS, President.

November 4, 1901.

MR. GEORG C. BOLDT,
Waldorf-Astoria, New York City.

My Dear Sir:— You will remember on Friday last of stating to me you would try to have a meeting of heads of departments that day. Not hearing from you up to Sunday A. M., I called upon Mr. Hillard and he informed me I could see you between six and seven P. M. I was at your office and waited from 6 P. M. until 10 P. M., and when informed that you were to leave the city at 11.30 P. M., I decided not to wait longer. At the main office I was informed a letter in care of Mr. Thomas would reach you.

Now Mr. Boldt, this is a very important matter to this company, and I believe it important to you. I was sorry to hear you say you had engaged the best patent lawyers. Why did you need to engage any if you were to discontinue, as you stated, the use of the Hicks Method? Every customer we have has a perfect right to discontinue our service, and no firm is obliged to use the method unless they wish to. It appears to this company it would be better for all concerned, that we should thoroughly understand all the facts as they exist before employing lawyers. It appears to us, it would be better to discuss facts before cost than after.

I cannot bring myself to believe it was a threat on your part when you mentioned to me the patent lawyers

you had employed; in return you should be willing to allow us to state facts.

Mr. Boldt, you well knew what you were using in the old Waldorf and the results, as well as the results since the Hicks Method started. You will yet be convinced that Mr. Kuhn has not one idea of his own of a perfected method of checking. What you are now using is a positive infringement of the Hicks Method. Every waiter and checker in your employ know this fact, and I am sure you would not state it is not an infringement, if you will take time to read our patent claim, a copy of which we herewith enclose.

What you are using will cost you more than the Hicks Method, the duplicate stubs attached to the main check, that have to be wasted, and makes it unsafe. Mr. Kuhn's complaints on printing look bad. As a controller for you he has charge of the printing, checking, auditing, etc. To succeed in getting a system he has studied up out of the Hicks Method installed in its place. He must offer some excuse and reason for the change. He accordingly complains of errors in the printing supplies.

Ninety per cent. of all the errors he has called the attention of this company to, were shown to be on a shipment of goods which has been laying exposed on the shelves of your stock-room for more than eleven months, and Mr. Kuhn had been notified at the time of the shipment of these goods, that more errors than those

reported by him at the time the goods were received would be obliged to occur in this shipment. He refused at this time to have these checks gone through and the errors removed, undoubtedly preferring to hold them, to produce at some later day when they would better serve his purpose.

I cannot believe you wish to involve this company in litigation after the success you have had with the method they control. You are not obliged to use it, but if you do I believe you will prefer to pay for its use thereby setting a good example for your employees.

We sincerely hope you will decide to continue with the straight Hicks Method, and you will greatly oblige us by returning the sworn statement of Mr. Gill, enclosed to you in mine of Friday last,

Awaiting your reply, which we hope to receive at an early date, for reasons which must be evident to you, we remain,

Very truly yours,

HOTEL SECURITY CHECKING Co.,

JOHN T. HICKS, President.

January 24, 1902.

MR. THOMAS H. HILLARD,

Waldorf-Astoria, New York City.

“ My dear Sir:— Replying to your request over telephone yesterday, for papers, I herewith enclose to you

the paper as it was prepared, the only change needed as I understand it, being in the amount, as agreed on by yourself and Mr. Barry, (four thousand dollars as reported to us.)

"I would also state that Mr. J. T. Hicks will be in the city from this P. M. until to-morrow P. M. in case you should be ready to see him."

Yours very truly,

HOTEL SECURITY CHECKING Co.,

ARTHUR T. HICKS, Manager.

N. B. This registered letter in reply to telephone message will furnish proof that the patent lawyers advised Mr. Boldt to settle. If more proof is needed the \$4,000 recently paid by George C. Boldt will be sufficient, as the reader will agree after knowing the facts.

A man who would write that letter dated October 31, 1901, signed by George C. Boldt would hardly put up \$4,000 to save a friend's life.

J. T. H.

New York, October 3, 1899.

MR. J. T. HICKS,
1358 Broadway, City.

My Dear Sir:—"In the great stress of business the last week I have overlooked Mr. McCormick's let-

ter received in reply to mine. It will be of interest to you; kindly read it and destroy it."

Very truly yours,

GEORGE C. BOLDT.

P. S. to readers. This letter indicates that Mr. Boldt wishes to cover his tracks.

J. T. H.

June 23, 1902.

MR. GEORGE C. BOLDT,
Waldorf-Astoria, New York City.

My Dear Sir:—Acknowledging receipt of your check for fifty-four dollars and ninety-three cents; (\$54.93) and the enclosed voucher will explain itself.

Our reason for addressing you through Mr. McCormick is that I believe by so doing this communication will reach you, while I have some doubt of its doing this if sent direct to Waldorf.

You will pardon my calling your attention to the last business transaction which took place in your office. You will recall that Mr. Mitchell had been a long time preparing the final form for a paid up license, which he drew from the one I had submitted. On the day of the settlement I suggested slight changes in the contracts as drawn by Mr. Mitchell, but finally agreed

to sign, and the papers passed as they were drawn. When you entered, your attorney handed the contracts to you, both of which I had signed, stating to you that I had read them and did not object. You, Mr. Boldt, asked your attorney if they were all right to sign, and upon his assuring you that they were, you signed them both, retaining one and passing the other to me. A short conversation then took place, and I then remarked to Mr. Mitchell that I had not received my check, and he replied 'that you would mail me a check.' I then said, Mr. Mitchell, the paper I have just signed is a receipt for the money, and upon his request I handed him my contract to read. After having read it, he said, 'it is a receipt and you will have to give him a check, Mr. Boldt.' Then followed some discussion as to which account the check should be drawn against, and as to whether the proper person to draw the same could be found.

Messrs. Mitchell and Hilliard then stepped from the office, and on their return raised the point as to your carrying the Hicks Method patent date, and the words Hotel Security Checking Company on all the printing used in connection with the Hicks Method, for the right to use which you had just bought a paid up license. Mr. Mitchell then asked to take my agreement to see how it was worded. If at that time I had had in my possession the check, neither Mr. Mitchell or Mr. Hilliard would have gotten my contract into

their possession, but as you had the contract and receipt in your possession, and I had no attorney present to advise me, I allowed Mr. Mitchell to take my contract with the result that I could not get it back or get the check until I consented to the changes, as now appear on both the contract I now hold and the one in your possession.

So far as the heads of departments deceiving you, that is unquestionably none of the business of this company, but when you assist these men to intentionally wrong the Hicks Method and deceive proprietors that are continually in search of reliable information, you surely wrong my company as well as all proprietors, and place yourself, and I surely believe unintentionally, in a light you do not wish to appear.

You will pardon me for calling your attention to the financial results of your house from the start of the Hicks Method in the old Waldorf up to the date of your letter of October 31, 1901, which stated you would discontinue the Hicks Method the following morning, and gave as your reason, errors in printing. We presume these errors were furnished you by your controller, Max Kuhn and were the same as reported to us by Max Kuhn the July previous. Investigation at that time proved that the errors claimed by Mr. Kuhn were included in printing which has been open in your house for a year or more previous to his notice to us, and we at that time reported these facts to Mr. Hillard.

Mr. Kuhn was making an effort to deceive you and to get control of the Hicks Method.

The only claim which has been allowed Mr. Kuhn, so far as our attorneys can learn, is one giving him the right to attach to the top of a guest check three or more coupons, whether or not, they are needed in the service of the check.

Unused duplicates around a hotel, and especially if they are controlled by a person who is making every effort to appropriate for his own that which he has absolutely no claim to, are extremely dangerous for the proprietor.

In looking over our books, we find in the last three months we furnished the checks for the Waldorf-Astoria, you purchased from this company two hundred and ninety-two thousand guest checks and one hundred and eighty-five thousand duplicate checks. It is plain for you to see that Mr. Kuhn's idea would have caused you to order eight hundred and seventy-six thousand duplicate checks; subtracting the one hundred and eighty-five thousand duplicate checks, as shown you actually required, it would leave six hundred and ninety-one thousand unused. If each of these unused duplicate checks are not properly audited, it is simply impossible for the ones used to be properly audited.

We find further that for one year from January first, 1900, to January first, 1901, for printing supplies of all natures, used in connection with the Hicks

Method, supplied to you by this company, your account amounted to eleven hundred and sixty-six dollars and seventy cents. Should you desire to make a comparison as to the cost of printing, you could do so by comparing the length and width of a check as furnished you through Mr. Kuhn, with one as was formerly furnished you by this company, or if you have not any of these, one such as we are now supplying the Bellevue in Philadelphia. This will be the same size as you formerly used at the Waldorf-Astoria, and we furnished it at one dollar and fifteen cents per thousand. Should you make this comparison, do not be deceived by the amount of space which Mr. Kuhn takes out of the body of the check in order that his coupons at the top may appear. If any of your controllers would have allowed us to reduce the order space in the check to the size which Mr. Kuhn now furnishes, we could have reduced materially the cost of the same to you,

At the time of starting the Hicks Method in your house, we were allowed in your auditing room but a few days, and since then no one connected with the Company has ever been allowed to enter.

If information which has come to us from parties who should know, be correct, your duplicate checks have not been compared with the guest checks, or have the guest checks been properly checked with the main sheets. Many ideas have been introduced by your controllers, which in our opinion have not been, or were

never intended to be in your interests. Had your control and auditing been carried out as intended, and as it is carried out in many prominent and successful houses, we believe the results would greatly surprise you.

You will recall, Mr. Boldt, of our having notified you two or three years ago, of your controllers sending checkers to Long Branch and Narragansett Pier, to assist in starting a new scheme in their effort to get a checking system of their own, and later to the fact that Mr. Kuhn and many of his checkers were a great deal in the office of the National Cash Register Company, while all in your employ in this department were under strict orders not to visit the Hicks office. All of their attempted scheme proving a failure, they find, as a last resort, they must use the Hicks Method fixtures, a Hicks Method checking station, and place the name of Max Kuhn on the same in order to be absolutely sure that no report may ever reach you from this Company.

I need to say no more, except to thank you for continuing the orders for printing for your Philadelphia houses, which favor we have also acknowledged to Mr. McCormick, and add, that should you at any time wish us to furnish you your printing at the Waldorf-Astoria, we should be pleased to serve you.

Yours very respectfully,

HOTEL SECURITY CHECKING Co.
JOHN T. HICKS, President.

New York, N. Y., April 15, 1899.

To

MR. E. A. DARLING,
Fifth Avenue Hotel.

My dear Sir:—I would ask pardon for so soon again claiming a moment of your time; I merely wish to say that the Hotel Manhattan was opened with our method on the European plan and the food and wines are now checked and controlled by the Hicks Method. I have no apology to offer in this house on the point that the method does not receive proper attention. I should be pleased to have any or each member of your firm call in person to see Messrs Hawk and Wetherbee, as I am sure they would take much pleasure in explaining to you the results of the method, the form in which it is worked in each department, and also the special information they receive from the auditing department.

Very truly,

HOTEL SECURITY CHECKING Co.,
JOHN T. HICKS, Manager.

NEW YORK, November 6, 1903.

MESSRS. HITCHCOCK, DARLING & COMPANY,
Fifth Avenue Hotel, New York City.

Gentlemen:— Information having reached me that you are considering placing in your hotel what is known as the Max Kuhn checking system, the same as is now in use at the Waldorf-Astoria, I feel it to be my duty, representing the Hotel Security Checking Company, to furnish you with certain record information.

Wishing to make this statement short, I will only say that about two years ago I received a notice from Mr. George C. Boldt that on the following morning he would discontinue the use of the Hicks Method. At this time he had been using it for a number of years, it having been started in the old Waldorf, the result of which is well known. Had he discontinued, as he said he would, my company would have had no cause for complaint. In his notice of discontinuance he gave as a reason errors on our part in printing, as reported to him by his controller, Max Kuhn, although a previous investigation had established the fact that no printing had been furnished on those waiters' numbers for eighteen months and the checks must have been loose, in the control of Max Kuhn all that time. After stopping the Hicks Method Mr. Boldt used what he called the "Kuhn System." In the final settlement of the

question raised as to whether this "Kuhn System" was an infringement on the Hicks Method, George C. Boldt bought a paid up license for the unexpired term of the Hicks Method patent, "means and method" claim issued June 20th, 1893, No. 500,071; and Mr. Boldt, therefore, had a personal right to use the same in his hotels; but he did not buy a right for himself, his controllers or other employees, to sell the right to other hotels to use the Hicks Method.

Some time ago reports were circulated about the city that persons connected with the Hicks Method were selling checks to waiters. We at once offered a reward of \$500 for information that would convict a person of such offence. A short time afterwards we received information that a checker had taken some packages of checks away from the Manhattan Hotel. Soon we learned that these checks were in the possession of Max Kuhn down at Brighton Beach. We were forcing the issue to follow these checks, and in a few days Mr. Decker received a message from Max Kuhn that he wished a private interview with him. The balance of this story we leave for Mr. Decker to tell you, should you wish to receive the information from him.

I have only to add that it was the wish of my company to commence suit against those that had to do with these missing checks from the Manhattan Hotel, but, as the management of the latter hotel did

not desire to be drawn into court in a controversy with other big hotels, we took their advice, believing we could protect our interests in a less public way.

We only know of two or three places where Max Kuhn has succeeded in placing his system, as used in the Waldorf-Astoria ; and these we have served with legal notice as to infringement. The infringement is so plain, if you are not familiar with the Hicks Method, please examine it at the Manhattan or other hotels where it is in use and you can readily decide for yourselves.

Max Kuhn has a certain claim allowed him for attaching duplicate coupons to the top of a check. That right is not an infringement on the Hicks Method, and the Hicks Method could not afford to use the same, believing they are dangerous. He also has some sort of a claim on an auditor's sheet, but he has no right through any patent to use a main sheet on a checker's table for the purpose of the Hicks Method main sheet.

Yours truly,

HOTEL SECURITY CHECKING Co.,
JOHN T. HICKS, President.

November 9, 1903.

MESSRS. HITCHCOCK, DARLING & COMPANY,
Fifth Avenue Hotel,
New York City.

Gentlemen:—Since returning to Boston I have been very carefully going over in my mind conversation I have had with your house, which as you know cover a considerable period, commencing back to the time when you were purchasing a plain check from William Allen and Company. At that time I suggested to Mr. Darling that they were dangerous to use, and no doubt he will recall having given me a block, and later I returned the same together with an exact duplicate block, which I bought of William Allen.

Shortly after, I learned that William Allen was printing and offering for sale a main sheet. I called on him in company with my attorney, and he informed me the first he ever printed was from copy furnished him by the Cadillac Hotel, further that if it was an infringement of the Hicks Method, he certainly would print no more. At this time he showed us a sheet represented to be a controllers or auditors sheet, wishing to know if we would consider that an infringement. We told him, if used in the auditor's department, as indicated and for the purpose indicated it was not, but if placed on the checker's table, to be used as a main sheet, it

would be a flagrant infringement, and more especially so when facts were made known to the court how and when it was started. Later, my attention was called to the fact that your house was using a main sheet, and called Mr. Darling's attention to the fact. Mr. Darling assured me at once that the Fifth Avenue Hotel did not wish to infringe on any one's rights, and went then and there and took the main sheet from the checker's table, with the record on it, and gave the same to me.

I sincerely hope the proposition I recently sent you did not offend. I would have made the amount of saving much larger, but did not wish to convey the impression I was talking large. Present conditions lead me to believe some false statements have been made to your firm concerning myself or the company I represent. If such is a fact, I most respectfully ask you in the interests of square dealing and fair play to allow me to meet any accusers that you may pass judgment, and should the decision be against us, you owe it to proprietors that you give the information for their benefit, as we are doing business with more than two hundred of them.

In the statement which I left with your Mr. Crane I did not state the amount which Mr. Boldt paid this company for paid up license was \$4,000, and the date December 12, 1901, forty-two days after he started using the so-called Max Kuhn System. For these forty-two days prior to the final settlement he

paid to this company royalty at the same rate as he had been paying previous to changing. We had been doing business with Mr. Boldt for a number of years, during which time, from his own statements, he had been much benefited.

Considering these facts, his notice to us on the afternoon of October 31st that he should change the next morning, giving as his only reason errors in printing delivered from this company and discovered by Max Kuhn, after they had been in Kuhn's possession for one year and a half was, to say the least, a very cold proposition. I have the article of agreement signed by Mr. Boldt. I will at this time go no further into this matter, as to what happened in Mr. Boldt's office.

The agreement is black and white evidence, will prove all I claim, and I have reason to believe that unless Mr. Boldt puts a stop to his employees intentionally misrepresenting my company, all of the papers and correspondence will yet be brought into court and made public. Should you wish it, I will bring them at once to New York for your inspection.

Time will make plain that two women were sent to our office to be taught the points of auditing of the Hicks Method, who are now taking part in what is now known by many as "the back of the house play." I can satisfy you on this point at this time, if you wish.

So far as I know, Max Kuhn is the only one who appears in his company. He may be responsible. I

do not know him to be. Mr. William Allen appears as agent, and I would judge him to be perfectly responsible.

Our claim is known as a Means and Method claim, and our revenue consists of royalty.

The United States Court opinions, on the back of this letter head, makes very plain we should look to the user for our rights.

I am making this statement for the protection of your house, as well as my company, and also in the interests of all hotel and restaurant enterprises, and can see no reason why my company and your house should be drawn into litigation in any way.

I hope you will receive this letter in the same friendly spirit with which it is written. I will bring you all the correspondence I have referred to, in proof of statements I have made. I do not ask you to turn over to me any statements, information, correspondence or papers in any form, Max Kuhn may have furnished you, and ask in return that you keep the information I am sending you in your own hands. I need only add that I have made every effort to get Mr. Thomas Hiliard to oblige their controller, Max Kuhn, in the interests of hotels in general, to state how, when and where he came into possession of those packages of checks he returned to the Manhattan Hotel. My last effort in this direction was a registered letter to Mr. Lawrence McCormack, Mr. Boldt's Philadelphia manager, believ-

ing that at least the information concerning the Manhattan checks would reach Mr. Boldt, and then, should he not insist on the matter being thoroughly investigated, no person could claim I had failed to take the last step left me to protect Mr. Boldt.

Hoping to receive a reply requesting me to come and consult with your firm on the points at issue; apologizing for the length of this communication, and thanking you for past courtesies, I am,

Yours very truly,

HOTEL SECURITY CHECKING COMPANY,
JOHN T. HICKS, President.

Readers P. S. The main sheet ruled with pencil from a Hicks Method catalogue will be produced at the proper time.

J. T. H.

January 21, 1904.

MR. ELMER DARLING,
Fifth Avenue Hotel,
New York City.

My Dear Sir:—Information having reached this office that you have started at the Fifth Avenue Hotel what has been termed the Max Kuhn Checking System, obliges me, in the interests of my company, as well as

that of all proprietors and worthy employees, and in the interest of all that is fair and just, to call your attention to our past correspondence and the interviews we have had, as well as black and white evidence, which I have furnished you.

As you know, I possess an abundance of correspondence some of which you have seen, in particular the four thousand dollar license signed by Mr. George C. Boldt. I also possess much correspondence signed by Mr. La Frantz of the American Audit Company, whom you informed us advised you to use the Max Kuhn System scheme. I have also witnesses to conversation had with William Allen as to infringement; the trust company you mentioned I do not know.

I have in mind you stated to me that you believed your house had been offered special rates on royalty and printing, and that the Max Kuhn people had furnished you a satisfactory bond that they will fight the case in court for the Fifth Avenue Hotel. I trust you mean that they will fight the case for the Max Kuhn combination and not for your house.

If you wish to use the Hicks Method, and prefer doing business with Max Kuhn, in that event of course you will expect to buy from this company paid up license the same as Mr. George C. Boldt has done. You will pardon me for making at this time the prediction that the day will soon come when two or three large houses in New York will realize the example they

have set to all their employees, by wilfully appropriating to their own use the use of the Hicks Method. which fact is evident to all their employees at a glance,

I was interested at your explanation to me of Max Kuhn's explanaton to you, as regards the Hicks Method claim, a Means and Method claim passed by the board of appeals, recognized and endorsed by the most successful houses for the past ten years, and it made his present employer a millionaire, is not a good one, while he asserts his is a good one. To my mind Max Kuhn established his reputation and record when he returned the checks to the Manhattan Hotel.

If the patent records are correct, Max Kuhn has an allowance to attach a series of duplicate checks to the top of a guest check, whether or not they may be required in the service. He also has an allowance on a controller's sheet, idicating in this claim that a number of auditors can work at the same time, evdiently meaning the American Audit Company. He has copied all the Hicks Method fixtures, and you will now agree with me, I believe, that if with the two valueless attachments above cited he can appropriate to his own use the Hicks Method, there is absolutely no value in patent law.

If the Max Kuhn combination wished to use a main sheet, why did they not come out in the open and apply for a main sheet? The only reason is, that they were fully aware that the patent office would not allow

this claim, and that such a petition would be cited to the Hicks claim as had the petitions of Whitney and others in the past, of which fact they had full knowledge.

At this time I would call your attention to the fact that before this Company entered the field, William Allen was selling to the hotel trade a paper check, such as you were using at one time in the Fifth Avenue Hotel, at one dollar and seventy cents a thousand, and we would be glad to furnish them at 50 cents a thousand. I would also state that we have on file a main sheet which was printed by William Allen, and in use at the hotel Cadillac, New York, prior to his connection with the Max Kuhn scheme, and which, on being informed by the writer that the same was an infringement, he agreed to discontinue printing in the presence of witnesses. We believe he did discontinue printing these sheets at that time. At the time of this interview, William Allen produced a Max Kuhn control sheet, asking if that would be an infringement. My attorney informed him, that if used in accordance with his claim as allowed in Washington, it would not be, but if used at a checker's station for the purpose of and in the place of a Hicks Method main sheet, it most certainly would be an infringement.

An abundance of Supreme Court decisions can be quoted showing all pioneer claims to cover all equivalents.

We also have on file the main sheet which you very courteously took from your checker's station and

handed me when I called on you some time ago, informing you I heard that you were using a sheet and stating that if so, you were infringing on the Hicks Method claim, and at this time you assured me you had no inclination to infringe on any one's rights, and your actions at that time certainly bore out your assertion.

In a few days I will call with my attorney and a witness, and with your permission see just what you are using before serving a legal notice. I hope, however, before that date you will, in your own interests, call on hotels using the Hicks Method, say the Hoffman House, Manhattan, Navarre, or, in fact, any houses where we are doing business, that you may decide for yourself if you could testify in court that you do not believe the Kuhn System as used in the Waldorf-Astoria, as we presume it is being used at the Fifth Avenue Hotel, is an intentional and flagrant infringement of the Hicks Method. Do not misunderstand me that we claim Mr. Boldt is infringing on the Hicks Method at the Waldorf-Astoria; he has bought a paid up license for the use of the Hicks Method from this company, of which fact you are aware. He has, however, not bought any right from the company, for himself or his employees to give to others the right to use the Hicks Method.

Yours very respectfully,
HOTEL SECURITY CHECKING Co.,
JOHN T. HICKS, President.

March 3, 1904.

MR. ELMER DARLING,
Fifth Avenue Hotel, New York City.

Dear Sir : — Having been informed by their attorney that he has served on your firm notice that you are infringing on the Hicks Method the Hotel Security Checking Company have opened a royalty account with your firm.

To my mind, this case is far beyond a simple act of infringement. It appears to be a premeditated act very like conspiracy, made plain in a measure by Mr. Vilas' words to me in your presence, and quite forcibly by his remarking to Mr. F. E. Tasker, in my presence, after five competent judges had, as one, pointed out to you that what are known as "controller's sheets" had been detached and placed flat on your checker's table and were being used as a Hicks Method main sheet ; "I suppose you will now jump on us with both feet. The case is now up to you."

When Mr. Tasker and I were out of your hotel that day he asked : "What did Mr. Vilas mean by that strange remark?" I replied, "he may hope my shoes will fall off when I jump on him, so that he can step into them, since other men's shoes make easy walking. Possibly he implied that the combination will try to cover up the main sheet he caused to be ruled with an indelible pencil after the style of one illustrated

in a catalogue I gave him — the main sheet you remember Mr. Darling gave me, and which I now have.”

If a person can be found, who will testify under oath in court, that is, a man of common sense, that your acts in this case do not make plain an intentional infringement, his motives at least, will be plain to the humblest in the court.

Mr. Darling, I had hoped litigation would be avoided in this case, and as becomes a man, have sought to settle with you out of court—have tried in all ways known to me to show you that you were infringing the Hicks Method. You, however, refused Mr. Donahue information which he sought legitimately, Mr. Vilas is reported to have intimated “that your firm intended to aid in secreting evidence, or covering the same.” Thus am I forced to believe you have not reciprocated my efforts to avoid litigation. Especially is this true after your firm’s interview with Mr. Barry, through Mr. Vilas, the former’s reply being in my possession. Again am I strengthened in my belief that you have not sought to avoid litigation, by your refusing to name the party or parties in whom rests the bond, given as you say “to protect you from financial loss on account of your infringement of the Hicks Method.”

Mr. Darling, was your firm obliged to connect itself with such a questionable transaction as required your exacting a bond for your protection before you entered into it? Were you obliged to take part in what is known

as "false use" of another's property, and especially were you obliged to refuse to investigate facts touching this case?

What course would you pursue, sir, if you had positive information that one of your employees had falsely taken a portion of your property and so hidden it, or placed it that, although knowing where, and by whom it was hidden or held, you could not personally, without the law's assistance, gain access to the same?

Touching the point of inventor's rights and their value to our country, I most respectfully refer you to the address delivered by our loved President McKinley at the Pan-American Exposition—almost his last words to the people—a warning against permitting the least infringement of the rights of men who conceive, execute and maintain the commerce of ideas.

In justice to the stockholders of the Hotel Security Checking Company, as well as in protection of and justice to the men who are willing to and do pay for using the Hicks Method, I am now, personally, publishing a book containing some of my experiences, a copy of which I will present you, trusting you may find therein matters of value to yourself and your firm.

According to the laws governing the past and the present, I may safely say the day is not far distant when you will plainly see that the nation's laws are intended to protect poor and rich alike. In fact, I am

sure you will be glad to insist on such an application of them, because when law ceases to protect the poor man the rich man is defenceless.

I send this lettter by registered Post, wishing to possess proof that you received it.

I believe the poor individual has a right to protect his property by placing facts in black and white when he is endangered by organized millionaires, who, by secretion, by conspiracy, in defiance of all laws, attempt to possess themselves of his property without consideration.

Yours truly,

JOHN T. HICKS.

At a reasonable time after sending the above letter, five competent persons visited the Fifth Avenue Hotel, at one time, representing the Hotel Security Checking Company, examined carefully the Checking system being then used there, and unanimously agreed that it was a flagrant infringement on the Hicks Method. Since that date a legal notice has been served by the attorney of the Hotel Security Checking Company owners of my Means and Method claim patent, on the Fifth Avenue Hotel, as infringers, and their names have been placed on the Company's books for royalty, in accordance with an established custom.

JOHN T. HICKS.

Writer of this book and inventor of the Hicks Method.

The following letter is entered here because a trail apparently runs through the cases just mentioned to the Company to whom the letter was addressed and sent.

New York, November 5, 1901.

MR. J. T. WATSON,
Manager National Cash Register Co.,
New York City.

Dear Sir:—I have before me a letter you wrote to Mr. F. A. Archambault October 31st. This letter furnishes me additional proof that many statements recently made to me, as having been made by you, are true.

Will you tell me if you have stated to one or more persons "that the Hicks Method was in Pabst Harlem for two weeks and then thrown out for your system?" Have you stated that "you have an order for a prominent hotel in New York, and the Hicks Method is to be thrown out?" Have you also stated to many of our customers "that they are foolish to pay royalty, as we could not collect a cent?"

It would seem to me, if all records and reports are true, that I need only to refer you to the Lamson case in Boston, or the Hallwood in Columbus, Ohio. Your company has already had experience in intimi-

dating other firms' customers, I think I need not say more on this point.

Pardon me for making a proposition to you, viz.: For the benefit of your customers and mine, which will, I think, prove to them how little or how much we both know regarding a perfect method of checking, I submit the following:

You make a statement in writing of all the valuable points of your system and registers that you know, and then to make plain your great superiority over the Hicks Method, mention all the weak points in that method.

I will do the same for the Hicks Method and mention the weak points of the National Cash Registers and systems. We will appoint a time for exchanging papers, and we each are to agree to publishing both briefs for distribution throughout the country.

If the above proposition is not worded so as to be absolutely fair to both, I wish to make it so. I am sure the information will be appreciated by your customers.

Awaiting your reply, I remain,

Respectfully yours,

JOHN T. HICKS, Inventor.

The connecting links as to those present before and after the fact, who might be considered accomplices, the actual motive of the bond said to be prop-

erly audited to protect persons in knowingly taking part in a questionable transaction for the purpose of taking possession of shoes not yet vacated, are all in the net, and the net is still open.

JOHN TYLER HICKS,
Inventor.

Fifth Avenue Hotel.
New York, March 7th, 1904.

JOHN TYLER HICKS, ESQ.,
Medford, Mass.

Dear Sir:—Your registered letter of the 3rd inst: addressed to me, has been received and referred to the parties in interest therein.

Much of your letter does not require any answer, and its sarcastic references to the depredation of the poor by the rich are especially irrelevant.

I forbear to reply to, or comment upon those portions of the letter which are essentially and gratuitously offensive, but would say that we have not withheld from you any information to which you were entitled.

Yours truly,

E. A. DARLING.

Medford, Mass., March 9th, 1904.

MR. ELMER DARLING,
Fifth Avenue Hotel,
New York City.

Dear Sir:—Your letter of March 7th, replying to mine of the 3rd is acknowledged. As a reply to the three or four letters I have written you, the character of the reply will explain itself to a careful reader, without comment from me; especially your reference to withholding information, wherein you say, "parties in interest therein," in place of names. You further say, "much of your letter does not require any answer." I trust you mean the part referring to the main sheet, which you stated Mr. Vilas ordered ruled up; I mean the one which you gave me later; and also the report of the five competent witnessess. Their decision was given you at the checkers' station in your house, where you was using, (for what Max Kuhn and the combination can only offer you, a claim on a controllors sheet, indicating it to be used in the auditing department, on which a number of auditors can work at the same time,) a controllors sheet, detached and lying flat on your checker's, table, employing it in place of a straight Hicks Method main sheet. You Mr. Darling saw this with your own eyes, in the presence of five other witnesses.

In regard to the "sarcastic" part, referring to millionaires and the poor; Mr. Vilas did not say that you

were both rich, nor that Max Kuhn and Mr. Boldt were rich, nor that Wm. Allen was rich, nor that the American Audit Company was rich, nor that the Trust Company you mentioned was rich and neither did you make such statement in so many words; but both Mr. Vilas and yourself gave me to understand that that was the combination I was up against, If you do not wish me to so understand this meaning, why did you mention their names?

As to the "offensive part" of my letter. The readers of my letters to you, and your reply to me, may pass their own judgment.

I would remind you, of the words of Mr. Vilas to me in your presence, first in the private office and later in the hotel lobby, such as "hot air," "bluff" and others of that character which I will not now repeat as you show signs of being sensitive. You will of course remember saying to me, "Vilas is piling up chips on his shoulder asking you to knock them off" and that my reply was, "I am naturally a coward and would never consider a fight except placed in a corner, where it was a case of life or death," I was simply using words where they belonged, which you and Mr. Vilas had been trying to use where they did not belong; (simply a fair exchange).

I thank you sincerely for your letter, as to me, it fully confirms all I have claimed.

Respectfully yours,

JOHN T. HICKS,
Inventor of Hicks Method.

Grafters fear no law, but they do fear being exposed to the people.

If I am wrong in this matter let the grafters set me right.

Proprietors who wish to possess themselves of value, not theirs by right, should not blame their employees for following their example. When one can secure what they wish in an honorable way at less expense than in a dishonorable way, why prefer the latter course ?

John T. Hicks, Inventor of the HICKS METHOD, claims it has made more money for single users of the same than any other claim and patent that has ever been allowed by the Patent Office; and also says there is abundance of proof to substantiate his claim to the above fact.

The American Audit Co.,

LA FRANZ,

INCORRESPONDENCE

FIFTH AVENUE HOTEL,
DARLING & VILAS,

IN CORRESPONDENCE

Mr. Darling, say to Mr. Vilas that Hicks says
Animals in the field fight fair.
Ask Vilas if he ever saw two bucks bunt and the
others not interfere:

J. T. Hicks,
Inventor of Small Ideas.

INCORRESPONDENCE

WM. ALLEN.

WM. ALLEN & CO.

Waldorf-Astoria
MAX KUHNS AND BOLDT
INCORRESPONDENCE

COMMENTS OF J. T. H.

As I am in receipt of information, that Mr. Max Kuhn, controller of the Waldorf-Astoria for Mr. Geo. C. Boldt, has been on the street soliciting business with the letters I sent the Fifth Avenue Hotel, and Mr. Darling states in his letter to me, he had turned my letters over to "the parties in interest therein," I feel fully justified in furnishing those interested with the facts, as I understand them.

Those that dance must pay the fiddler in the end.
Persons caught in their own trap should not squeal.

As all my family and friends that have passed away left only for me their good names, I have never been accused of falling into a soft snap or shoes; and know what it is to hustle, keeping even and answering those soft snap people, who will throw you over-board any minute and claim your ideas as theirs;——if they wish to add to their soft pile of——.

The morning after writing this article, while riding in a street car from my home to Boston, two laboring men were seated at my right, comparing calloused hands and experiences; one saying to the other, "they cannot call us loafers, can they?" While passing some frames being erected for new houses, one said, "look at that frame where in the name of God is the building inspector, some poor fellow that has struggled

the way we have all our lives and saved a few hundred dollars, a cent at a time, after they get that shadow frame, covered with paper, and a savings bank loan, will lose his last cent; the first throw out of the box in buying the 'air equity,' in that house."

The other one said, "I was down to Sam's last night, and they were the happiest family I have ever seen. His Uncle has left them over thirty thousand; his hands are getting as soft as my little girls. As I was starting for home, he wound and set his alarm clock, for five in the morning; I said, why do you set your alarm clock now? He replied, 'for the pleasure of hearing it ring at the old time, five in the morning, and letting the clock know, I will not get up until I get ready.'"

I at once decided that the experience and illustration of the two toilers for bread, with the cracked and bleeding hands, together with the remarks I heard them make, that they were better fitted through necessity, to write a book of experiences than I, and I would stop mine to make room for theirs; which I hope they will write in the interest of all the people.

If persons wishing to buy homes with their small savings, are obliged to buy the equity claim instead of the bottom claim, should the state furnish them a little information and protection, by having a proper record kept as to the frame and construction of every new house built, the same as records of mortgages are kept.

A man without the moral courage to stay at home and tell the truth, would not be promoted on the battle field ; but would continue to make trouble for others, it matters not where you find him.

TYLER HICKS' DREAM.

It is a remarkable characteristic of the state of dreaming that the mind will often then assimilate ideas uncontrolled during waking hours, and weave them into results long vainly sought for. Many persons who sleep in snatches have the power of continuing the thread of their dreams after it has been broken by this wakeful state.

The foregoing is from my scrap-book alphabet, and is offered as a sort of tuning up before my dream orchestra plays a bit of realism I heard, saw and felt one night after thinking deeply over the facts embodied in it.

At first this dream was confined to hearing, later I saw the incidents, the people and the earthly attachments of the whole.

I heard voices, ranging from the boys' shrill soprano, through all the intonations of men, women and children, calling aloud : — "Free-Soil party, Know-Nothing party, Do-Nothing party, Republican party, Democratic party, Prohibition party, Whig-oh-Whig-oh-Whiggery party, Free Silver party, Abolition party, Free-for-all party.

"They were all right,
 But now the blight
 Deeply has struck them.
 Dead are they all,
 And 'round their pall,
 We sing our anthem:
 The Farmer's Party, best of all,
 Ho for the Farmer's Party!
 Let all the grafters hear our call,
 We are the Farmers Party!
 We feed the people, fill the banks,
 Ho for the Farmer's Party!
 We're the people, and in the ranks
 We fight for home and country."

I heard one strong-voiced farmer say, "the manipulators of the law used to say in oily tones: 'What's the matter with the farmers? They're all right! How could we live without them?'"

Then spake a thrifty king of the soil; not a dandy, to be sure:—"We've read those letters signed by Massachusetts' Governors, and the causes leading up to them. Now we will show the manipulators we can live without them. Can they raise potatoes in the lobby? I rather guess they can't, but we can raise'em. Hurrah for the farmers! We are the people!"

After the cheer rung out heartily, another sinew of the Nation's body exclaimed:—"We've read those Governors' letters, yes, and if we can't believe what our Chief Magistrates' sign with their own names we don't care to read anything. Another thing in that book

called settin' nets and springin' traps (thats a queer title, but it fits the case like a rain after plantin'), that bill and statement of facts from Bartlett and Anderson. Gee whiz! that's an eye opener! They admit sayin' they wouldn't take a case which would oblige them to expose other attorneys. I don't know what to think about such things, an' all the doin's 'round the General Court and the particular courts, 'ceptin' there's nothing left for us to do but to think and act for ourselves."

"Right you are, an' we can act for ourselves, for we are the power of the land!" rigorously said a sturdy woman, mounting a barrel, and continuing:—"That book's all right. The sign on it is queer, certainly, but a slick one, sure's I'm the owner of a hundred acre farm, which you know I am. The writer of that book knows what's what, an' he's tried to make plain by his words, illustrations, definitions, experiences and those letters, as refers to our present government, that those who are in the political net or trap won't or can't explain what's up to the people, and that those who have been caught by the net, pinched by the trap, and wronged by those on the inside of both, should, as becomes good citizens, register their experiences as guides for other men. That chap's all right, an' I tell you, friends, we must have some meetin's an' talk over things, right smart an' quick, or go to ruin."

I heard the vote by which a series of meetings was called, and then the dream became real to sight, hearing and touch.

At the first regular meeting one farmer said, "Such things don't seem possible in a land boastin' of equal rights."

"But they be," answered the chairman. "I tell you, my friends, I'm beginnin' to b'lieve everythin' possible except to get away from payin' taxes an' dyin'."

Then up rose the Squire of the town, a hearty man was he, saying: "My brothers and sisters, don't cry for the milk that's spilled. We are strong, there's abundant milk growing in our meadows, and we can get it, if we hold on to our cows. Let us at once organize for our mutual protection as well as for the good of all people who are worthy of our kinship, yes, for all who are worthy to eat the products of our farms. We have no use for vote buyers, lobby grafters, trust monopolies, black-mailers, and divide-up-closeted-together lawyers who manipulate our present laws to their profit. Speak up, brothers and sisters! This is a free-for-all-good-people meeting, and no one here will toot his horn for votes, saying that in him, and in him alone is trusted the State's safety."

Bashful Perkins got to his feet and dryly said:—"What we are about to do should have been done years ago, and would have been, had we not been divided by party lines. But times and conditions have so changed us that we are now united. We are now the Farmer's Party, one and invincible. We will protect ourselves."

"Hear! Hear!" was called on all sides. Then said Handy Jones, "I was satisfied last year,

That neither Bates nor Crane could bring rain,
And would not when summer came again."

"Good! good!" said Willing Brown. "I'll add a line of verse to that:—

"Both Bates and Crane believe in long waits,
If, by so doing, they help their slates."

Then said Cherry Case:—"Since we are plankin' our platform with po'try here's my plank:—

"Our taxes are high, state tax too high,
And need lowering now, not bye and bye."

"A cheer for Case," said Worthy Follensbee. "He's struck the key note. Taxes are eatin' the inwards out of us. We must do as Squire says, 'organize for mutual protection.'"

"Amen! let the good work go on until righteousness is once more the ruler of men's minds, especially those of our Governors," said Deacon Brown.

Then came Holdfast Summer, resolute, clear of brain, and quick of action, saying:—"Let us all join daily in prayer for the salvation of our law-givers, yet, we must fight the devil with his own weapons. Words won't go for powder and shot. We must be up and

coming all the time. We aren't asking help from those grafters at the capitol. Not a bit of it. We can work out our road taxes and fence the highways with stone walls. Gee-whitaker! I wish we were able to build a wall high enough, long and strong enough to securely hold all the vote buyers, lobby grafters, and all the double faced fence-straddlers, together with their constituents. We'd put 'em in safe keeping, oh yes! We'd find them a house, oh yes! A big roomy, strong house, and then, instead of paying a large State tax for their maintenance—those enemies of the people, those ticks, fleas and lice on the body politic—we could have the pleasure of passing to them over the wall, decayed vegetables, fruit, bad eggs and curdled milk which now goes to waste."

"That's the way to do it! Say, wouldn't they fatten on that food!" exclaimed Farmer Thompson. "Stone wall builders and rail splitters are our protectors. We have no use for rail straddlers and taffy platform builders. The time has arrived when we must teach our sons the great importance of protecting the farm and the old homes, themselves and their children."

"That's the tocsin to call the sons of liberty! That's the war cry to alarm the freemen of America!" shouted Nervey Goodspeed. "We can frame a constitution that will protect ourselves, even if the present constitution of Massachusetts does not protect our Governor in protecting the people (that is, he claims he

has no right to protect the people beyond the executive department.”)

Standing rigidly erect to her full height of six feet two inches, Mother Jones from the valley said :— “Beggin’ pardon for speakin’ p’raps out of turn, I must say I’ve listened patiently as long as I can. Somethin’ must be done right off quick or we’ll all go together— where, brothers and sisters, where but to the poor farm? Explain to me about this William Tall, about the Watch and Ward put-in-the-hole; about the ‘squaring’ of gates. Can these Watchers pull a person at any time and under any name they like? Do they put honest folks into dark holes so’s they won’t be caught in this gate business? Tell me, brothers an’ sisters, *be we* demoralized?”

Up jumped Sally Brown, plump and hearty, vigorous and fearless, saying :— “We are not demoralized! Not a bit of it! It’s them lobilia grafters that’s in the moral wreck. We are started on the right road, we are at the four corners which lead to all of our homes. I want the next meeting to be at my house to-morrow evening after chores. Let us adopt for our opening song :—

“The morning light is breaking,
So bury all your fears;
We’ll sweep aside the grafting,
We’ll ring the land with cheers.

“As waves sweep o’er the ocean,
When winds are driving high;
We’ll set our plans in motion,
For freemen never die.”

“Our closing song shall be ‘Home, Sweet Home,’ and every woman of us will fight for the spot so dear to us as *Home*.”

After singing their farmer’s chorus, the meeting adjourned amid cheers for “all hands and the new party.”

The first speaker at the next meeting said :—“I recommend the formation of a National Farmer’s Party which shall enroll on its membership every man, woman and child now tilling the soil under the Stars and Stripes. Let us have an independent telephone and telegraph system; we would run the lines on our own property, free of land damages, and could keep the same in repair as we do our fences.

“My boy asked me last evening the ‘difference between reciprocity and repopulating the farms.’ I told him I was not ready to talk reciprocity, but that the latter point was already settled, that the boys and girls are coming home to fill our offices, and that in the future we would pull our own wires.

“In place of ‘bulls and bears’ controlling the products of farms by manipulating prices in the market, we, the farmers, will make ‘the corners’ all the time. We’ve got the right and power on our side, if we are

bright enough to use them. We will have a shipping station in each section and each farmer can deliver his portion of the products in person and receive his money.

“How can we get money sufficient to do this?”

“We will be self-supporting from the start, and in a short time will have money to loan the grafters, provided they can put up such good security as they have been demanding and exacting of us.

“My boy at once said, ‘Dad, I shall stay home and help you pull wires.’”

The second speaker was very enthusiastic. Said he:—“We grow the food and manufacturing supplies for our own and other people’s wants. The consumer who wishes to know the price of corn, wheat, potatoes, beef and all other farm products must receive it over our wires. We will collect our own duties when we deliver the goods, and what we collect will be ours in full, thus saving what now leaks out to line the official pockets. My son writes me ‘he is coming home at once and buy the next farm to ours while it is cheap.’ If he does he shall be collector of our home port.”

Then William Strongly arose and spake with the emphasis made strong by long and varied experiences:—“Mother and I have been talking about this new Farmer’s Party. We think it is great. One of our main troubles has been caused by the farmers breaking prices for their goods by flooding the markets. The

small returns resulting from this process have been very discouraging to all of us. Although mother and I are old, very old, it gives us pleasure to anticipate a bright prospect ahead, and to realize that the boys and girls now coming up will find both business and pleasure in beautifying their farms to such an extent that summer visitors will wish to live here all the year.

"We need a genuine old fashioned rail splitter for President, and we don't care what farm he was raised on. He will assist us in arranging our farmer's food supply exchange, also the wires for our children to pull."

A quaint chap was the following speaker, who dryly said :—"My son asked me to-day, 'what is hell on earth, dad?'

"That was a poser for one so religious as I am (he was an atheist), but I couldn't let the boy stick me, and there was no need to, for I'd heard voices out of that dark place coming from the State law factory, so I answered, my boy, hell is what we're going to keep within the big stone enclosure as soon as we get it completed, and in that ill-favored place we are to make money out of our refuse products which we dump there for food. By caging up those human sponges, it will be possible for farmers to realize heaven on earth.

"'Dad, that's great,' replied the boy. 'We will be the only pebbles on the beach.'

"You mean the only people in the swim on land, I answered.

“‘Correct,’ replied the boy. ‘Now tell me what a land shark is?’

“He was cornering me, for sure, but I answered, Bub, you’ve busted the secret which has kept you from school since you were a little shaver.

“‘What’s schoolin to do with it?’ he asked, right pert like.

“Only that I didn’t want to be father of a land shark, was my answer.

“Then the boy laughed right out, saying, ‘Dad, are you having another one of those spells?’

“He knew my ways and I knew what was what from experience, so I gave him this:—Bub, some farmer boys get a little law learning into their heads, and then start out to win glory. They find the market glutted same’s it is when too much farm produce is shipped at once. Those chicken lawyers must be doing something, so they begin to nose around for plunder. Some father and mother, deserted by their children, after struggling to keep the old farm going, use up their supply of money and contract debts, bills for which are given the gosling attorneys for collection. Then the young aspirants for judgeships become members of the class which is too lazy for work, but not too honest for stealing.

“Don’t repeat that carelessly, Bub, for if you do, one of those sharks will catch you.

“‘Strong talk that, dad, but go on, I’m in for getting points,’ interrupted Bub.

“I forgave the interruption and went on, a farmer recently said, when talking these things over at the combination grocery store and post office, ‘a local lawyer had stolen a certain farm from poor children. Such things travel, you know, and when the accused lawyer heard of it he started at once to scoop the accuser’s farm for damages, and full of legal wrath (that’s generally foul air, you know), he said to him, Did you state that I stole the —— farm?’

“‘Didn’t say any such thing,’ was the reply.

“‘What did you say, if not that?’ snorted the Blackstonian develist.’

“The farmer swallowed the land shark as slick as a bass ever took a bait. He replied:—‘I said, if you did not steal the place, how did you get it?’

“‘Is the law only a nest for sharks?’ asked Bub, rather gloomily like.

“Not so, Bub. There’s a loot gang in all professions, but there are honest, genuine, square lawyers. Who they are, and where, you must guess for yourself, because the Massachusetts Bar Association will not protect you.”

That dream was warming up in great shape, and I was on the alert for more of it. However, I got shut out, for just then, officers of the Watch and Ward Society, rigged out with angel’s wings and eagle’s claws, sailed

down from the clouds, arrested me on a warrant calling for William Tall, clutched me in their talons, and flew away, evidently intending to run me in on the quiet to their "squaring" office, with the view of standing me up for a wholesale graft.

They had me by the back, and I was watching the receding earth, seeking to see a friend who would aid me, when I saw a group of boys, who, when they got a glimpse of the grafters, shouted, "Cheese it."

That settled the Watch and Ward angels of hades.

They loosened their grasp, and flew away as if in truth followed by the police.

Of course, I fell at a rapid rate, and certainly expected to be smashed into pieces, worthless even to the blackmailers. But I awoke—and the dream ended.

Unless farmers soon commence protecting their homes against those land sharks, and the people who are looking for bread unite in assisting the farmers in defending the common home, the time will soon be reached when we will all be looking for homes and bread.

The last statement is not a dream, but a clinching of the arguments I have based on experience, "with malice towards none, and charity for all."

JOHN TYLER HICKS,
Medford, Mass. U. S. A.

Look here, friends, if your guest turns back at the door and in words you can understand, because he is your friend and you are his, repeats the message his heart has already sent to yours, and yours has transmitted to his, you are glad of the opportunity to clasp his hand again. That's what we country folks call gumption sense, therefore, you all understand it.

I'm turning back at the door, yes, in spite of my long visit, and I'm saying, the type of man who wrote America is not the same as some of the relics of manhood I have referred to. Not a bit of it. No siree. He was an American from the heart, the other sort are American from the pocket-book in.

Now then ! All up for good night !

"My country 'tis of thee,
Sweet land of liberty,
Of thee I sing.
Land where my fathers died,
Land of the Pilgrim's pride,
From ev'ry mountain side
Let Freedom ring."

ADDENDA.

After this book had gone to press, and while I was thinking of the sheep-buying episode related in it, I received an invitation to be present at the silver wedding of the boy who was with me when the farmer's wife frightened the sheep by shaking her apron.

I herewith register a copy of my letter to that friend.

Medford, Mass., February 10, 1904.

HON. TYLER GOODELL,

Goodell House,

Readsboro, Vermont.

My Dear Tyler:— Tyler Hicks and Jane Murdock have received your kind invitation to be present at your silver wedding, and are with you in heart, if not in person.

The twenty-fifth wedding anniversary is an event of a life time, and we surely hope you have more of the silver associated with it than we did at the time of our corresponding anniversary, when practically all we possessed was what our friends gave us.

Your invitation has brought to mind a picture of those days when we were boys together in Readsboro, a picture into which no artist can paint all the active characters of those days since many of them have passed away; yet the lines of the mountains and streams remain the same.

In times of pleasure when our friends are around us, let us remember those who have passed away and the lessons they have taught us, and in memory of those days and friends, let us encourage the cheerful and be reconciled to the sad sides of life, which latter come to all.

You may recall that when on my latest visit to Readsboro I rode with you from your house to Wilmington, and that on the top of the mountain I entered

an old cemetery, enclosed with a stone wall erected by some industrious farmer, in which on a stone crumbling with age was the following epitaph:—

“ My friends, as you pass by remember me;
As you are now, so once was I;
As I am now, you soon will be,
So prepare for death and follow me.”

Those words were then suggestive to me of my present query, if by preparing to live we are not preparing to die?

The author of those words (over one hundred years old) should be remembered, and I would be glad to assist in placing a second stone for this grave, bearing an epitaph somewhat as follows :

Here lies one who possessed a great mind ; who has passed to the great unknown future. His body is deposited here to return back to dust in the natural process of time, all the electricity and the storage battery of this form having been consumed by age and disease.

“Motto: First remember the departed and then be jolly and happy to the utmost with those left.”

Here's a good character illustration for Vermont boys and girls to study. Three boys were raised on the Vermont hills and went forth into the world looking for fame, honor and a few titles thrown in. The first was Dewey, who gained honor not only from colleges, but all the people. But he practically lost all

by following an old New England custom of giving his home to his wife at a time when he was free from debt and had every right to do so, not making the mistake which wise men have done of deferring provision of a home for his wife's time of need until the changeable condition of affairs had taken it from him. Should the nation become involved in war, Dewey will be good enough to do the fighting; protecting those who deserted him, and if he is unfortunate enough to be hit during an engagement, it will be in the face, not in the back.

The second one of the boys I have in mind was the most sensible of the trio. He stayed home, saying, Vermont was good enough for him." He has been justly honored with a title by his fellow-citizens and as yet has not lost it.

"There is an old saying, "It is not every man who can keep a hotel," and abundant proof of that fact is offered the world over. The writer has had experience covering many years of travel among the largest and best conducted hotels throughout the United States, and wishes to go on record at this time as making this statement; a traveller can get more for his money at the Goodell House, as conducted by this boy number two, than at any other hotel within his knowledge. Especially would he say, no more appetizing table can be found.

The third boy in my mind, was the writer, the fool of the trio, who has many times reminded himself of the saying, "a rolling stone gathers no moss." I have ever been looking for a title, but my name remains plain Tyler Hicks. This last illustration makes plain that fools are not all dead yet, and that the young ones are continually leaving their good old New England homes and flocking to the large cities. If my experience has any value, it tells me the tide is about to turn, and new ideas will make plain to the young, who are looking for a substantial, genuine home, that they do not need to leave Vermont.

Now Tyler, I have nothing but good wishes for you and your family. You have justly earned them, and are a credit to your ever-to-be-remembered Father and Mother. Although it is not possible for me to be with you at your silver wedding, I hope it will be my pleasure to be with you when you celebrate your golden anniversary.

You are at liberty to tell the dried apple story, but do not tell of my trading Mother's cows with King for the dog team, to avoid milking cows.

Again extending to you and your family the best wishes of Mrs. Hicks and myself, I am,

Very truly yours,

JOHN TYLER HICKS.

SHIPTONISM AND FACT.

I engaged the Rev. Nathan Sherman (now living) to marry me, before proposing to the girl, now my wife. That was an unusual procedure, no doubt, as viewed conventionally, but I did it with all the wisdom of my then nineteen years. The whole transaction occupied less than two hours, yet in that short period I came to a realization of my responsibility to others, especially to the one I had "taken for better or worse." Here I may say she has been always better, always my wise counsellor, my loyal friend, my helpful comrade.

On the morning following my marriage, I began sawing wood in a sugar camp, and my wife commenced braiding hats of palm leaf.

At the horning bee (a sort of reception given by fun-loving country folk,) thirteen days after our wedding, on the thirteenth day of the month, I had only thirteen cents, my wife braided thirteen hats, I told thirteen stories, and as if the sequence of fateful numbers was fixed around us, exactly thirteen boys and thirteen girls, comprising thirteen couples, came to the horning. Further, they broke all the mirrors and crockery in our room.

An old Shiptonism declares breaking of mirrors and crockery, also number thirteen, prophetic of squalls for the following thirteen years, and in some cases, for thirteen times thirteen.

Possibly the foregoing will, in part, explain the start and finish of my varied experience to the readers of this book.

REGISTERING CASH ITEMS.

National Cash Registers, and not the Hicks Method, were in use at Rector's New York restaurant.

Did you see the court record of this case?

In all my experience with them I have found the Holwood Cash Register Company honorable business competitors.

Did you see the tab rise on that National Cash Register, or was the tab up before you paid the check?

Have you heard about dropping a shot with a hair into a rival's register to throw it out of gear?

Sellers of patented machines, appliances or methods, who educate infringers and conspire with employees to beat proprietors, are among the worst specimens of man.

I wonder if a syndicate of thirteen will be formed to steal this book, or will the thirteen decide it to be not worth stealing?

The reader of this book will notice I have been answering issues raised by others with the sole purpose of protecting myself, my family, the company I represent, who are owners of the Hicks Method, also the reputable firms who are using my inventions, and for the interests of all people endeavoring to uphold the law.

I would like to stay on earth thirteen years more, in order to read the reports of the Watch and Ward heat-betting-turf-writers, because I fear they will fail to show up on the other side of the great river.

Better to die with character than to live without it.

As I am in great fear of infringers, especially of those operating through a "dummy," I ask my family to place at my grave a simple slab, to cost not over two dollars, and inscribe thereon:—

"Here lies all that is human of a man who made a manly fight."

"God knows I was right."

"John Tyler Hicks and not William Tall."

October 31, 1842_____.

"Out where the sunbeams mingled hues of gold,
With the silver sheen of her dark brown hair,
With soulful eyes, which will never grow old,
Mother came smiling, my mother so fair.

"When slept the sun in the golden-veiled west.
Mother twined my brow with a wreath of flowers,
And clasping me again to her breast,
Sang me to sleep as in babyhood's hours."

While thinking of the mighty struggle constantly engaged in by inventors against the worse than thieves, the pirates who infest every avenue of commerce, art, literature and science, I was slowly turning the leaves of my scrap-book, and perhaps by chance, my eye was

attracted by the following, from Longfellow's mine of imperishable wealth, which suggested my seeking advice from the Nation's Great Father, who as all men know, "is painting many shapes and figures" on the allegory of America.

"Thus said Hiawatha, walking
In the solitary forest,
Pondering, musing in the forest,
On the welfare of his people.
From his pouch he took colors,
Took his paints of different colors.
On the smooth bark of a birch tree
Painted many shapes and figures,
And each figure had a meaning—."

Respecting to the utmost that confidence attaching to private correspondence, I re-produce the following letters because of a desire to give publicity to the fact that President Roosevelt and the Commissioner of Patents are citizens who grant their fellows recognition and all assistance in their power.

With a succession of such officials America will be safe as a Republic, notwithstanding the criticism of monarchs to the contrary.

JOHN TYLER HICKS.

Medford, Mass. February 16th, 1904.

THEODORE ROOSEVELT,

President of the United States or America,
Washington, D. C.

My dear Sir:— Because you so quickly saw and manfully performed the duty of investigating the Post Office Department, I now call your attention to the Patent Office Department, depending upon the intelligent, careful, exact and honest management of which “is much of the Nation’s future prosperity,” as said our beloved William McKinley, when, at the Pan American Exposition he delivered his last public message to the people he so nobly served.

The writer could interest Senator Lodge and Representative McCall in furthering a bill looking towards more closely guarding the interests of inventors (which are positively the Nation’s interests,) but, as bills looking toward special legislation should, in the writer’s opinion, follow, but never precede recommendations from the Chief Magistrate, I prefer to be consistent and suggest to you what appears to be a logical addition to our present very effective Patent Office procedure.

The addition may wisely be preceded by the enactment of a statute or statutes penalizing all persons who knowingly so describe and disguise claims presented

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to the examiners, as to conceal from the latter a motive to use the sought for patents for other than the purposes specified in their petition ; also, to penalize all persons who, conversant with the motive to deceive, assist in passing, or causing to be passed such "shadow" patent claims, or using the same.

The Addition would be embodied in a Board of Examiners of infringements to which shall be referred, without previous court trial, all cases of dispute as to the force, scope, intent and value of patents, and whose decisions on such cases shall not only be final in the Patent Office, but equally decisive as to court action.

Every Individual applying for a patent shall be debarred from a hearing on his claim until he or she signs an agreement to abide by the decisions of the Board of Examiners of Infringements.

Every Inventor to whom a patent is granted shall agree, before receiving his claim, that in case of infringement procedures resulting from or attaching to the same, he or she will be charged with the *entire cost* of the hearing, if they are infringers and with an equal share of the costs, if infringement is not proven.

The Costs of the Hearings shall be estimated and absolutely computed by charging against the case in question, the per-diem expense of maintaining the before named Board, *i e.*, their salaries, clerk charges, and all other expenses chargeable to their department, thus

relieving the Government of all cost for maintaining said Board.

To a degree, the extent of my dealings with the United States, and other patent offices, is shown on the reverse side of this sheet.

I have in mind patentable ideas which, applied to mechanics and science, would not only benefit myself financially, but the Nation, as well. Yet, because under the present method of granting and protecting patents it is an inventor's misfortune to be constantly deprived of the whole or a portion of his just revenue by infringers and their purchasable attorney, I believe it wise to defer presenting my claims in Washington until you have as thoroughly investigated the Patent Office as you did the coal question in 1902-03, and the Post-Office Department in 1903.

While my action as expressed in this communication is personal, yet, as an inventor, I represent by it, all legitimate inventors in America.

I will consider it both an honor and a pleasure to at once obey your call to visit Washington with evidence proving the necessity for giving more protection to inventors than is now afforded by the Patent Office Department, also, the vital importance of penalizing every person who intentionally infringes, or aids, abets, or assists in any way in willfully infringing a patent.

Trusting your family happiness may always be equal to your present world-wide fame as a man who

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stands fearlessly in the open and fights man-fashion for the right, I am sir,

Respectfully yours,

JOHN T. HICKS.

March 2nd, 1904.

THE COMMISSIONER OF PATENTS,
Washington, D. C.

My dear Sir:— I am in receipt of a communication under date of February 25th, 1904, from the office of the Secretary, Department of the Interior, and signed by Edward M. Dawson, Chief Clerk, which states:—" I am directed by the Secretary of the Interior to acknowledge the receipt, by reference from the President, of your letter of the 16th instant, suggesting certain amendants to the law, relating to the granting of patents, procedure in infringement cases, etc., and to inform you that the same has been referred to the Commissioner of Patents."

I sincerely trust the letter referred to, you will consider worthy, coming from one of the people, looking only for justice. My experience as one of the people has led me to believe that in many courts to-day, poverty and right on one side, stand no chance when arrayed against millions and wrong on the other side. The important question for me to decide is whether it is best for me to risk all in court, or to make my customers, who wish to pay for what they want, acquainted with all the facts, protecting those worthy as they protect me. This I hope is a law still left and will continue to

DOM
A.A.

Department of the Interior,

OFFICE OF THE SECRETARY

Washington, February 25, 1904.

Sir:

I am directed by the Secretary of the Interior to acknowledge the receipt, by reference from the President, of your letter of the 1th instant, suggesting certain amendments to the law relating to the granting of patents, procedure in infringement cases, etc.-----

and to inform you that the same has been referred to the Commissioner of Patents.

Very respectfully,

Edward M. Johnson

Mr. John T. Hicks,

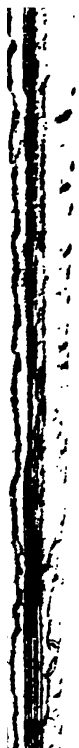
Chief Clerk.

Frest. Hotel Security Checking Co.,

Bedford, Mass.

P. & M. Div.

#882-'04.



protect the people doing business together, without any support from the Government. If it is a fact, that the Patent Office in Washington offers no protection to the inventor, as to conspiracy or deception being practiced between the Patent Office and a combination which has become wealthy through using a patented device, this deception being practiced for the express purpose of appropriating the inventor's device, the use of which had made them rich, as they wish to sell it to others, in order to gain more wealth, will the Government when these facts are made plain assist the combination or the inventor holding the pioneer claim?

To make my point more plain, as individuals, we have a legal right to sell the same property, realty or personal, to one only, excepting we again acquire title to the same; in other words, we cannot give this value away from the first. I am not describing a simple infringement case, but an instance where the combination attempts to appropriate the entire pioneer claim, and for their authority exhibit a certain claim allowed by the Patent Office.

Hoping to receive a reply, I remain,

Yours very respectfully,

JOHN T. HICKS, Inventor.

March 11th, 1904.

HON. F. I. ALLEN,

Commissioner United States Patent Office,
Washington, D. C.

Dear Sir:—Your favor of March 8th, embodying an analysis of my suggestions to President Roosevelt made February 16th, also a discussion of queries embraced in my letter to you March 2nd, has been received, and you may be sure, sir, it is gratifying to receive so manly and full a recognition from you. Were all public officials as courteous and painstaking, individual rights would suffer less and the Nation would be enriched.

I deem it incumbent on me to apologize for that ambiguity in my letter to you on March 2nd, which permits a suggestion of my believing the Patent Office colludes in any degree with men who seek patents under one title with the purpose of using them for infringements. I intended only suggesting the possibility of such a wording of claims and presentations of devices by schemers as would deceive examiners and thereby cause the Patent Office to be an unconscious abettor of premeditated infringement.

Permit my asking, sir, the following questions:—
If the Patent Office had conclusive evidence that a patent had been allowed on a claim, which had been intentionally disguised as to the purpose for which it was to be used, would the Patent Office, under the

*Department of the Interior,
United States Patent Office,
Washington, D. C.*

March 8, 1904.

Mr. John Tyler Hicks,
Medford, Massachusetts.

Sir:-

Your letter of the 2nd instant is received, calling attention to your letter of February 16th, directed to the President and referred to me by the Secretary of the Interior.

In this letter you express your interest in some legislation calculated to penalize "all persons who knowingly so describe and disguise claims presented to the examiners as to conceal from the latter a motive to use the sought for patents for other than the purposes specified in their petition," and suggest the creation by statute of "a Board of Examiners of Infringements to which shall be referred, without previous court trial, all cases of dispute as to the force, scope, intent and value of patents, and whose decisions on such cases shall not only be final in the Patent Office, but equally decisive as to court action."

In your letter of the second instant you say:

"If it is a fact that the Patent Office in Washington offers no protection to the inventor as to conspiracy or deception being practiced between the Patent Office and a combination which has become wealthy through using a patented device, * * * will the Government when these facts are made plain assist the combination or the inventor holding the pioneer claim?"

The only answer to this query is, to say that it is certain that no such fact as this exists. The Patent Office does not practice "conspiracy or deception" between the Patent Office and a combination which has become wealthy," or in any other form.

The legislation which you suggest would transfer a large portion of the jurisdiction of the United States Circuit Courts to a new tribunal, and referring as it does to the constructions of issued patents, would no longer affect simply the operations of this office, which are confined to the issuing of patents, but would deal particularly with the function of the courts in their construction.

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I am obliged to conclude from the whole tenor of both letters referred to that you are laboring under a radical misconception of the true situation, nor do I think it is to be expected that any legislation dealing so radically with the jurisdiction of the United States Circuit Courts is apt to be passed.

Respectfully,

Commissioner.

F. J. Allen

**Department of the Interior,
United States Patent Office.
Washington, D.C.**

March 14, 1904.

Mr. John Tyler Hicks,
Medford, Massachusetts.

Dear Sir:-

Your letter of the 11th instant is received, and I thank you for its kind expressions.

You ask whether if the Patent Office had evidence that a claim "had been intentionally disguised as to the purpose for which it was to be used," it would "under the existing laws governing the same, have the power to cancel the patent issued, upon the strength of the disguised intention, or in any way so deal with such persons as to compel them to use their patent only for the purpose for which it was allowed."

I will say that the great majority of patents issued by this office are for mechanisms which operate in a particular way, and it is very certain that the operation of many machines would enable them to be used for a variety of purposes not mentioned in the patent specifications. The fact is, that if a machine is secured by a patent covering its structure and operation, it will be secured for all the purposes to which it can be applied, up to the point where invention is involved in the new application.

I think this answers your question as closely as its nature permits.

Yours very truly,

G. J. Allen

Commissioner.

existing laws governing the same, have the power to cancel the patent issued upon the strength of the disguised intention, or in any way so deal with such persons, as to compel them to use their patent only for the purpose for which it was allowed, and not for the purpose of taking from another the benefit of a pioneer claim?

Very respectfully yours,

JOHN T. HICKS,
Inventor of Hicks Method.

Medford, Mass., March 16th, 1904.

HON. F. I. ALLEN,

Commissioner United States Patent Office,
Washington, D. C.

My dear Sir:—Yours of the 14th instant, in reply to mine to you of the 11th instant received, and I sincerely thank you for the same.

I fully agree with you wherein you say, "I think this answers your letter as closely as its nature permits." The point raised in mine to you is answered, wherein you state, "up to the point where invention is involved in the new application;" making plain that invention is required, which is wholly lacking in all known infringements of the Hicks Method.

I can readily realize your office is often open to censure, through the faults of others, under the present

infringement laws, subject as they are to many different opinions of the courts, which point I indicated in my first letter to you.

Again thanking you for your courtesy, I am,

Very respectfully yours,

JOHN TYLER HICKS.

P. S. The patent my correspondence has been in reference to is No 500,071, issued June 20th, 1893, a Means and Method claim, passed by the Board of Appeals.

I take pleasure in enclosing you copy of their remarks made, when allowing claim.

"Both the means and the improvement in the art carried out by the use of the means, as well as the object and purpose thereof, are found to be different from anything set forth in the patent cited in reference, while the numerous patents in this line quoted by appellant, most of them very recent, afford ample precedent for the finding of patentability in such matters which displaying the requisite novelty, utility, and importance to warrant the presumption of invention in their origination. We do not regard the device of this application as a mere 'system of doing business,' open to the strictures of the courts expressed in the decisions quoted, but as an ingenious method and means of preventing and detecting fraud, analogous to many patented devices and systems in use with banks, corporations and transportations companies to a similar praiseworthy end.

Hotel Security Checking Company, Boston, Mass.

Duplicate Checks

SAMPLE FROM WALDORF-ASTORIA

Guest Checks


Section Table Sheet

163	W 90	Q 66
2 1/2 oz cheese		
1	0.60	
Hotel Security Checking Co. Pat. June 28, '32		

175	W 90	Q 66
1 qt Cornucopia		
2	W 4.00	
Hotel Security Checking Co. Pat. June 28, '32		

169	W 90	Q 66
2 pms brandy		
3	W .60	
Hotel Security Checking Co. Pat. June 28, 1932		

186	W 90	Q 66
2 carolina Perf		
1	C .60	
Hotel Security Checking Co. Pat. June 28, 1932		

		Name <i>James Smith</i>	Date <i>2/24/32</i>	Check No. 66
2 - 1/2 B. Shell	0.60			
1 Mock Turtle Soup	F .40			
1 Large Quince Stalk	F 1.50			
1 Chicken Fried Potatoes	F .25			
1 qt Cornucopia	W 4.00			
1 Camembert Cheese	F .30			
2 Dine Casser	F .30			
2 pms brandies	W .60			
2 carolina perfoto	C .60			
				
Waiter No. 90				
Hotel Security Checking Co., Pat. June 28, '32.				

ING	CO.
69	90
	0.60
	F .40
	F 1.50
	F .25
	W 4.00
	F .30
	F .30
	W .60
	C .60

SET AND SPRING YOUR OWN NET OR TRAPS.

Story books of experience are most valuable when proof of the experience is furnished the reader. For the benefit of those in doubt after reading correspondence with the President, the Commissioner of Patents, the Waldorf-Astoria and Fifth Avenue Hotels, I reproduce on the opposite side of this leaf a cut published with Mr. George C. Boldt's consent, in catalogues now old, by the Hotel Security Checking Company. The body and form of these checks are the same as was being used in the Waldorf-Astoria at the time George C. Boldt wrote that cold letter dated October 31st, 1901.

To those in doubt as to infringement, take this book with you and see for yourself what they are now using in the Waldorf-Astoria and Fifth Avenue Hotels. Max Kuhn was then and is now controller of the Waldorf-Astoria. Intentional infringers do not produce the desired result as they do not protect ; and further, they break the confidence, which to obtain success must exist as between employer and employee.

It has been tested in practical use, as the depositions show and found to be of great practical utility and value."

Signed, H. H. BATES, }
 R. S. B. CLARKE, } Examiners-in-chief.

The value, apparent to the examiners in 1893, is, in 1904, universal. For proof, we have a large and successful list of clients; further, the Hicks Method is the only one which attracts unscrupulous imitators.

As I was the subject through which the Hicks dream materialized it is my duty to personally credit honesty to those proven worthy of the classification of honest men.

George Washington, Abraham Lincoln, Ulysses S. Grant and many others among our National leaders were honest, as history now records. We now admit, and history will record that William McKinley was honest, although he was obliged to be connected with those who may not have been honest at all times.

Since all political parties and the press admit that President Roosevelt is honest, he may be the best and surely is the most available rail splitter candidate at the present time, provided he is willing to advise with the farmers to move slowly, and further, if the voters will furnish him proper support in the interests of the farm, the homes, and all the people. Yes, with such a President supported by the people, we may continue to sing-

"My country 'tis of thee, sweet land of liberty."

The President is only a servant of the people; can the people afford to exchange a President known to be honest for one that has not stood the test? When you find combined in one person ability, courage, experience and honesty, with only impetuosity as a drawback, I believe that if you surround such a valuable combination with a complement of slow, careful and wise farmers as advisors, you will have the right kind of a rail-splitting President, with a government to protect all the people.

The wise merchant dislikes to dispense with the services of an employee of this character; the same feelings should govern the actions of the people.

Water finds its level, as do all politicians. History, also ancient landmarks set up by old inhabitants, furnishes facts as to high and low water marks.

Shiftless farmers on the riverside of the high water line are enriched by washings from farms of perhaps more industrious men, who till the mountain sides; and again, nature enriches farms located in the bottom lands of the fresh water rivers, by sending with the Spring freshets a store of wealth from all the lands up to the river's source, as well as in the fogs which in summer days veil the valleys at morning. Dry seasons and frost could be controlled by artificial appliances.

What farms those are in the Connecticut Valley! They could furnish homes and gardens for all the poor people of New England; and if faithfully tilled, would give comfortable competence to their owners.

A bit of horse sense is valuable even in farming; therefore, if you wish to raise ducks, build your home on or near the ocean side of high water line; if hens, on the up land side.

The mill will grind and the land grow rich with water which has passed, therefore, **DISCUSS ALL ISSUES: GET POSTED AND BE BENEFITED.**

All men will be benefited if equity, and not manipulators, defines the line between individuals, corporations, trusts and the people.

If candidates for office wish delegates pledged to vote for them, why should not the candidates pledge themselves to cancel bad laws and enact laws which will protect the people?

Farmers should make hay by selecting candidates who have some knowledge of farming for and feeding the people.

Ex-President Cleveland and Richard Olney have recently, at a rather late date it would seem, furnished voters valuable information as to the Supreme Court's former interpretation of trust laws. If those laws are a mystery to the Supreme Court, how can common people be expected to comprehend them?

Five to four in the Northern Pacific merger case decision discloses the fact that our laws might be made clearer. Of course, the Supreme Court, could not be wiser.

History as well as those old and wise fail to furnish

the people the name of the person responsible for what has not been done. Some move too fast, some too slow, and so we go.

The world has come to an end with prophets living one hundred years ago and so we all will go.

It is said, they prayed for light and there was light. The present generation are praying for more light, while the Earth continues to shake and the rogues to tremble.

The above three paragraphs were written Tuesday morning at 12.30, the 22nd day of March, 1904; after awakening from a dream of my boyhood days in Readsboro, Vermont.

All I have stated in this book is, to the best of my knowledge and belief, "the truth the whole truth and nothing but the truth, so help me, God;" and all the people, especially those reading this book.

JOHN TYLER HICKS.

(of necessity, inventor of small ideas).

HICKS' LAST DREAM.

Really I fear this is not a genuine dream in the full sense and technical meaning of the word, to all intents and purposes; but it is an acute and dangerous case of indigestion, caused by over production of legal lights, which disease the most learned medical college has neither learned to diagnosis, nor furnish the proper name to the microbe responsible for the first act.

One of a certain class of proprietors had a waiter arrested for stealing, the waiter was honest enough and pleaded guilty, saying to the Court; "I did steal that plate of bread and the proprietor stole the Method with which he detected me. Send us both to the same place and I will be satisfied with life."

William Tall spake out and said, "I will not be satisfied with life if sent to the same place as those responsible for my arrest." Then a man claiming to be good said, "what a fool brother Allen made of himself; business was good, he got chicken hearted, slopped over and applied to the Legislature for protection." Governor Bates is not chicken hearted; he does not ask for a special law to protect him from those horsemen who were trying to put him in a hole. The Governor knows the Constitution will protect him, regardless of the people.

No. 1. If it takes four lawyers three days and three nights closeted together to make a paper that six lawyers cannot classify, and the Judge is undecided and coaches one of the six in court, by saying, "if you are saying what you mean, that paper is a mortgage"; as the attorney talking did not wish it so understood, he at once shifted his sails. This unclassified paper is now sleeping in the cradle of the Clerk of the Supreme Court for want of a title. Considering the above, as the first part of the question, how long would you say, it would take a natural born fool to find his way to the State House without a guide?

No. 2. What authority will investigate what is sleeping in the cradle of the Clerk of the Supreme Court, near the Cradle of Liberty and by what way it got there on appeal? The number of the case is No. 732 Equity, Superior Court, Suffolk ss., Boston, February 13, 1902. Before Judge Fessenden, in Chambers.

QUESTION.

Has the writer of this book furnished to the reader, one of the people and jury, sitting on this case, sufficient evidence to satisfy his mind beyond a reasonable doubt, that the only Government the people have got at the present time in the good old Commonwealth, is just what the Massachusetts Bar Association see fit to give them and they have no blank forms on which to receive complaints from the people.

If still in doubt on this all important question, to all the people, turn back and read my correspondence and all my letters; the letters of Ex-Governor Crane, His Excellency Governor Bates and Messrs. Bartlett and Anderson.

If the the jury of the people, decide I am in error. I accept the verdict.

A friend, after criticising my book in a general way, pointedly asked, "Hicks, are you a Republican or a Democrat?" I replied, I do not know.

My friend then said, handing me a pencil and paper: "Write out your nominees for State officials for 1905."

State conventions have found difficulty in selecting candidates who could in any degree fit their "planks," but, as my only "plank" is the good old Commonwealth, which needs a powerful antidote that will produce results benefiting *all* the people, my task was simple, and I quickly wrote

THE HICKS TICKET.

MOTTO: "America the land of the *Free* and the
home of the Brave."

Candidates for the Cradle-of-Liberty State, 1905.

On election night let the lights burn until twelve o'clock.

For Governor

THOMAS W. LAWSON.

For Lieutenant-Governor and Auditor

Yours Truly,—RAYMOND.

For the Senate, the House of Representatives and the
Attorney-General

HON. PATRICK A. COLLINS,
now Mayor of Boston.

My friend read the ticket several times, and then said, "Hicks, you paralyze me. Why, in the name of all that's great and good do you select those candidates and name them for the whole State Government?"

I answered, Lawson and Raymond furnish issues for the people to discuss.

"That's true," answered my friend; "but what about Pat Collins being all the rest of the ticket?" That's all right, I answered, and logical, too. If we put the whole State Government in the charge of three men with character, ability, and experience, we can locate the ones responsible for what has not been done. "You must be stuck on Pat Collins," said my friend. I have not the honor of the gentleman's acquaintance, I answered; but I know what the late Hon. Frank Jones said to me when he was determining his position on the money question at a time when some one hinted that McKinley was not honest. Frank Jones was a shrewd, square man. "What did he say?" asked my friend, meanwhile reading my ticket again.

Frank Jones said, "Hicks, Bill McKinley and Pat Collins have always been honest with me." I replied, concluding with, the press fully endorse that verdict.

"Good ticket, Hicks, I'll vote it," concluded my friend.

Voters of the good old Commonwealth, after electing your ticket, if you fail to get a simple law that will

protect the people in place of the present contempt of court law, do not kick when the legal mules sidetrack you to a dark basement room and then and there spring their nets, traps and latches on you.

My friend said to me, "why did you go?" I said, I was looking for information and found it. However, I was allowed to return to my family with all the character I had when caught in the dark room trap. I do not think those enemies of mankind had any character when they set the trap for me. If their acts are not engraved on the blackboard of that dark room they are on the blackboard of life, with the Watch and Ward, William Tall, square-the-gate, put-in-the-hole, heat-betting, mile-track manipulators and intentional infringers of the law and the rights of mankind.

Let those in doubt investigate.

The writer of this book says this is the up-to-date way of first trying your case out of court. Results of experience of my attorney, Edwin D. Sibley, telling me, after he had consulted with his attorney, which he considered one of the best in Boston, "you have got a good case, do not make any talk about it out of court;" (he did not tell me, however, I would not be allowed to in court.) He said, "Judges do not like to have the public get the case before they do."

Case No. 732 Equity is now sleeping in the cradle on appeal, near the "Cradle of Liberty."

While discussing old and new issues in this book, and privileges left to those who pay the bills to talk out of court if not allowed to in, with my friend, the value of old stories and experiences came up. Like an electric shock came to my mind, that old story I had committed to memory long years ago. "Never swap horses while crossing a bridge," but alas, the thought came too late, I had swapped animals (to be named by the people after reading this book) while crossing the bridge. My load is still on the bridge, its number is 732 Equity, and the date it was left on the bridge will be found in the records of the evidence commissioner.

WANTED:—Without regards to cost, a team or four-in-hand that are true blue, and will pull together every time for their owner. As this load has been stuck on the bridge for a long time, it will require strength and pull to move it. A person who controls a team that will move loads as above described, should never want for money, if he receives in gold, at the sale, the full value of such a team. It matters not the name of the animals, be they horses or mules.

This is a book subject to many titles, the best one will be furnished by the reader.

A story, novel or book of value is one that interests and benefits the mind.

What profitest thou if thou memorizes and forgets to systematize, or forgets to classify what thou hast memorized, so thou can apply at once, without legal advice, to save time and money, when danger is first or far sighted.

'TIS WELL TO REMEMBER

That the last words of the opening of Court are beautiful.

*"God save the Commonwealth of
Massachusetts."*

For the purpose of making them still more beautiful, why not add the names of the people that pay the bills, as this short addition will please God and his now afflicted people.

"That's a story," is a most common remark of to-day. It is simple to change it to a novel through adding black and white record proof. While "off" color often times is only skin deep, "standard" color often runs too deep to be good.

A "bare" trap set in the open field by a hunter for a "bear" is bad enough; a trap set for gain in a dark room, by members of the Mass. Bar Association is much worse, as the remaining members of the Bar Association will not assist in extricating you, and the voters have relinquished all hold on any rights to help themselves, through elevating members of the Bar Association to high State Offices, who, when elected, refuse to interfere in any way, with traps set by brother members.

340 SET AND SPRING YOUR OWN NET OR TRAPS.

If still in doubt how to vote, buy a farm; make your own cider, and when it gets good and hard, on retiring at night, drink a dipper full and dream for yourself; it will start, "I will vote for my farm, my business and for a market for my cider before it gets hard."

It is the result of inspired fools and dreams, or of combinations of experiences, when signs come true.



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OF THE
LAW SHOULD NOT
BE THE
MAKERS